REPORT

FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS AND THE HOUSE OF COMMONS

ON THE

POISONS AND PHARMACY BILL [H.L.]

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered to be printed 20 May, 1908.

(Several Reports)

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LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY WACHER AND SONS, WESTMINSTER HOUSE, GREAT SMITH STREET, S.W.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LIMITED, 109, FETTER LANE, FLEET STREET, E.C.; and
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OLIVER AND BOYD, TWEEDDALE COURT, EDINBURGH; or
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1908.

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ORDERS OF REFERENCE.

Die Jovis, 5° *Martii* 1908.

POISONS AND PHARMACY BILL [H.L.].

Order of the Day for the Second Reading read: *Moved*, That the Bill be now read 2ª; after short debate, *agreed to:* Bill read 2ª accordingly: Then it was *moved* that it is desirable that the Bill be referred to a Joint Committee of both Houses of Parliament (The Lord President (*E. Crewe*)); *agreed to:* Ordered that a message be sent to the Commons to communicate this resolution and to desire their concurrence.

Die Jovis, 12° *Martii* 1908.

Message from the Commons, That they concur in the resolution of this House communicated to them on Thursday last, that it is desirable that the Poisons and Pharmacy Bill [H.L.] be referred to a Joint Committee of both Houses of Parliament, as desired by this House.

Die Mercurii, 18° *Martii* 1908.

Moved, that a Committee of Five Lords be appointed to join with a Committee of the House of Commons to consider the said Bill; *agreed to.*

The Lords following were named of the Committee:—

L. Saltoun.
L. Stanley of Alderley.
L. Lawrence.
L. Monk Bretton.
L. Haversham.

Ordered, That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman: Then a Message was ordered to be sent to the House of Commons to acquaint them therewith, and to request them to appoint Five Members of that House to be joined with the said Committee pursuant to the Resolution of this House of the 5th instant and to the Message of the House of Commons of Thursday last signifying their concurrence in the said Resolution.

Die Jovis, 19° *Martii* 1908.

A Message ordered to be sent to the Commons to propose that the Joint Committee do meet in Committee Room A. on Tuesday next at Three o'clock.

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Die Lunæ, 23° *Martii* 1908.

Message from the Commons to acquaint this House that they have appointed a Committee of Five Members to join with the Committee appointed by this House, as mentioned in their Lordships' Message of Thursday last, to consider the Bill, and that they have ordered that their Committee do meet the Lords' Committee in Committee Room A. To-morrow at Three o'clock, as proposed by this House.

(The following Members of the House of Commons were appointed to serve on the Committee, viz.:—Mr. Atherley-Jones, Mr. Godfrey Baring, Mr. Idris, Mr. Vincent Kennedy, Sir John Batty Tuke.)

Die Martis, 24° *Martii* 1908.

The evidence taken before the Joint Committee from time to time to be *printed*, but no copies to be delivered except to members of the Committee and to such other persons as the Committee shall think fit until further order.

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REPORT.

BY THE SELECT COMMITTEE appointed to join with a COMMITTEE of the HOUSE OF COMMONS to consider the POISONS AND PHARMACY BILL [H.L.].

ORDERED to Report,

That the COMMITTEE have met and considered the said Bill and have examined numerous Witnesses and have directed the said Bill to be reported to your Lordships with amendments.

And the Committee have directed the Minutes of Proceedings and Evidence with an Appendix to be laid before your Lordships.

LORDS AND MEMBERS PRESENT AND MINUTES OF PROCEEDINGS AT EACH SITTING OF THE COMMITTEE.

Die Martis, 24° *Martii* 1908.

PRESENT.

Lord Saltoun.	Mr. Atherley-Jones.
Lord Stanley of Alderley.	Mr. Godfrey Baring
Lord Lawrence.	Mr. Idris.
Lord Monk Bretton.	Mr. Vincent Kennedy.
Lord Haversham.	

The Order of Reference is read.

It is moved, That the Lord HAVERSHAM do take the Chair.

The same is *agreed to.*

It is moved, That the Committee be an open one.

The same is *agreed to.*

The Course of Proceedings is considered.

Ordered, That the Committee be adjourned till Tuesday next at Twelve o'clock.

Die Martis, 31° *Martii* 1908.

PRESENT.

Lord Saltoun.	Mr. Atherley-Jones.
Lord Stanley of Alderley.	Mr. Godfrey Baring.
Lord Lawrence.	Mr. Idris.
Lord Monk Bretton.	Mr. Vincent Kennedy.
Lord Haversham.	Sir John Batty Tuke.

The Lord HAVERSHAM in the Chair.

The Order of Adjournment is read.

The Proceedings of Tuesday last are read.

The following Witness is called in and examined, viz., Mr. *Thomas Hudson Middleton.*

After discussion, it is moved by the Lord Lawrence :—

"That this Committee, having heard the evidence of Mr. *Middleton*, of the Board of Agriculture, are of opinion that it is not desirable to examine further Witnesses on the desire of the farming community for greater facilities to buy poisons used in agriculture."

On Question :—

Contents (8).	Not Contents (2).
Lord Saltoun.	Mr. Idris.
Lord Stanley of Alderley.	Sir John Batty Tuke.
Lord Lawrence.	
Lord Monk Bretton.	
Lord Haversham.	
Mr. Atherley-Jones.	
Mr. Godfrey Baring.	
Mr. Vincent Kennedy.	

It is resolved in the *affirmative.*

The examination is continued of Mr. *Thomas Hudson Middleton.*

The following Witnesses are called in and examined, viz., Mr. *Thomas Wallace Russell*, M.P., Mr. *Lorcan G. Sherlock*, Mr. *J. B. Pearson*, and Mr. *R. M. Smith.*

Ordered, That the Committee be adjourned till Thursday next at Twelve o'clock.

Die Jovis, 2° *Aprilis* 1908.

PRESENT:

Lord Saltoun.	Mr. Atherley-Jones.
Lord Stanley of Alderley.	Mr. Godfrey Baring.
Lord Monk Bretton.	Mr. Idris.
Lord Haversham.	Mr. Vincent Kennedy.
	Sir John Batty Tuke.

The Lord HAVERSHAM in the Chair.

The Order of Adjournment is read.

The Proceedings of Tuesday last are read.

The following Witnesses are called in and examined, viz., Mr. *William F. Wells*, Mr. *David Watson*, Mr. *Jesse Boot*.

Ordered, That the Committee be adjourned till Tuesday, the 12th of May next, at Twelve o'clock.

Die Martis, 12° *Maii* 1908.

PRESENT:

Lord Saltoun.	Mr. Atherley-Jones.
Lord Stanley of Alderley.	Mr. Godfrey Baring.
Lord Lawrence.	Mr. Idris.
Lord Monk Bretton.	Mr. Vincent Kennedy.
Lord Haversham.	Sir John Batty Tuke.

The Lord HAVERSHAM in the Chair.

The Order of Adjournment is read.

The Proceedings of the 2nd of April last are read.

The following Witnesses are called in and examined, viz., Mr. *John Rymer Young*, Mr. *J. Rutherford Hill*, Mr. *Lawrence Clarke Tipper*, Mr. *Samuel Gibson*, Mr. *Somers Lewis*, Mr. *Henry Reginald Wansbrough*, Mr. *John Archer Upton*, Mr. *W. S. Glyn-Jones*.

Ordered, That the Committee be adjourned till Tuesday next, at Twelve o'clock.

Die Martis, 19° *Maii* 1908.

PRESENT:

Lord Saltoun	Mr. Godfrey Baring.
Lord Stanley of Alderley.	Mr. Idris.
Lord Lawrence.	Mr. Vincent Kennedy.
Lord Monk Bretton.	Sir John Batty Tuke
Lord Haversham.	

The Lord HAVERSHAM in the Chair.

The Order of Adjournment is read.

The Proceedings of Tuesday last are read.

The following Witness is called in and examined, viz., Mr. *W. S. Glyn-Jones* (recalled).

The Title of the Bill is read and postponed.

The Preamble of the Bill is read and postponed.

Clause 1 is read and *agreed to*.

Clause 2 is read.

It is proposed by Sir *John Batty Tuke* on page 1, line 14, to leave out "arsenic."

The same is *disagreed to*.

It is proposed by Mr. Idris on page 1, line 15, to leave out "connexion with."

The same is *disagreed to.*

It is proposed by Sir *John Batty Tuke* on page 1, line 15, after "horticulture" to insert "as sheep dips or insecticides."

The same is *disagreed to.*

It is proposed by Sir *John Batty Tuke* on page 1, line 17, to leave out "a local authority" and insert "the licensing justices."

The same is *disagreed to.*

It is proposed by the Lord *Monk Bretton* on page 1, line 17, to leave out "a local authority" and insert "any local authority authorised to appoint an analyst for the purposes of the Sale of Food and Drugs Act."

On Question, That the Amendment be *agreed to* :—

Contents (4).	Not Contents (4).
Lord Saltoun.	Lord Lawrence.
Lord Stanley of Alderley.	Lord Haversham.
Lord Monk Bretton.	Mr. Godfrey Baring.
Sir John Batty Tuke.	Mr. Idris.

The numbers being equal, it is resolved in the *negative.*

It is proposed by Mr. *Idris* on page 1, line 22, after "1851" to insert "or any other Act."

The same is *disagreed to.*

It is proposed by Mr. *Idris* on page 2 to leave out Sub-section (4) of Clause 2.

The same is *disagreed to.*

Clause 2 is *agreed to.*

It is proposed by Sir *John Batty Tuke* to insert the following new Clause, viz. :—

"A company, registered under the Companies Acts, may sell or keep open shop for the sale of poisons, or may take, use, or exhibit the name or title of chemist and druggist, or chemist, or druggist, if, and so long, as all transactions relating to the storage, retailing, dispensing, and compounding of poisons are carried on under the direction of one or more directors, being registered chemists and druggists, and if, and so long, as the names of the director or directors, so acting, are entered in a register to be kept for that purpose by the Registrar under the Pharmacy Act, 1852; subject, as aforesaid, the provisions of the Pharmacy Acts shall apply to a body corporate in like manner as they apply to an individual.

"Any offence committed by a company, registered under the Companies Acts, shall, for the purposes of the 26th Section of the Pharmacy Act, 1868, be deemed to be an offence committed by the director or directors of such company for the time being registered under the provisions of the foregoing section."

On Question, That the Amendment be *agreed to* :—

Contents (3).	Not Contents (5)
Mr. Idris.	Lord Haversham.
Mr. Vincent Kennedy.	Lord Lawrence.
Sir John Batty Tuke.	Lord Monk Bretton.
	Lord Saltoun.
	Lord Stanley of Alderley.

It is resolved in the *negative.*

Clause 3 is read.

It is proposed by Mr. *Idris* on page 2, line 31, after "name" to insert "and certificate of qualification."

The same is *agreed to.*

It is proposed by Mr. *Idris* on page 3, line 4, after "name" to insert "and certificate of qualification."

The same is *agreed to.*

It is proposed by the Lord *Haversham* to insert the following new Sub-section (3), viz. :-

"(3.)—(1) A body corporate, or in Scotland a firm or partnership, may carry on the business of a pharmaceutical chemist or chemist and druggist, and may use the description of chemist and druggist or of chemist or of druggist if in every premises where the business is carried on the business is bona fide conducted by a manager or assistant being a duly registered

pharmaceutical chemist or chemist and druggist, as the case may be, and if the name and certificate of qualification of the person so qualified is conspicuously exhibited in the shop or other place in which he so conducts the business ; subject as aforesaid, sections one and fifteen of the Pharmacy Act, 1868, shall apply to a body corporate in like manner as they apply to an individual.

"(2) In Scotland, anything which under this section would be an offence if committed by a body corporate shall be an offence if committed by a firm or partnership."

The same is *agreed to.*

Clause 3 as amended is *agreed to.*

Clauses 4 and 5 are read and *agreed to.*

Clause 6 is read.

It is proposed by the Lord *Haversham* to leave out Sub-section (2) of Clause 6.

The same is *agreed to.*

Clause 6 as amended is *agreed to.*

It is proposed by the Lord *Haversham* to insert the following new Clause, viz. :—

"This Act shall apply to Ireland, subject to the following modifications :—

"(A) For references to the Pharmacy Acts, 1852 and 1868, or either of them, there shall be substituted references to the Poisons (Ireland) Act, 1870, the Pharmacy Act (Ireland), 1875, and the Pharmacy Act (Ireland), 1875, Amendment Act, 1890, and for references to particular provisions of the first-mentioned Acts shall be substituted references to the corresponding provisions of the last-mentioned Acts ;

"(B) For the reference to the Council of the Pharmaceutical Society there shall be substituted a reference to the Council of the Pharmaceutical Society of Ireland ;

"(C) For references to Orders in Council by His Majesty there shall be substituted references to Orders in Council by the Lord Lieutenant ;

"(D) The expression 'chemist and druggist' shall include 'druggist' and 'licentiate apothecary.'"

The same is *agreed to.*

The Schedule is read and *agreed to.*

The Preamble is again read and *agreed to.*

The Title is again read and *agreed to.*

Ordered, That the Lord in the Chair do report the Bill, with the Amendments, to the House

The Chairman is requested to prepare a Draft Report.

Ordered, That the Committee be adjourned till to-morrow at Half-past Three o'clock.

Die Mercurii, 20° *Maii* 1908.

PRESENT :

Lord Saltoun.	Mr. Atherley-Jones.
Lord Stanley of Alderley.	Mr. Idris.
Lord Lawrence.	Mr. Vincent Kennedy.
Lord Monk Bretton.	
Lord Haversham.	

The Lord HAVERSHAM in the Chair.

The Order of Adjournment is read.

The Proceedings of yesterday are read.

The following Draft Report is laid before the Committee :—

Ordered to Report,

That the Committee have met and considered the said Bill and have examined numerous Witnesses and have directed the said Bill to be reported to your Lordships with amendments.

And the Committee have directed the Minutes of Proceedings and Evidence with an Appendix to be laid before your Lordships.

The Draft Report is *agreed to.*

Ordered, That the Lord in the Chair do make the said Report to the House and that Mr. *Atherley-Jones* do make the said Report to the House of Commons.

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MINUTES OF EVIDENCE.

Die Martis, 31° *Martii* 1908.

MEMBERS PRESENT:

Lord Saltoun.
Lord Stanley of Alderley.
Lord Lawrence.
Lord Monk-Bretton.
Lord Haversham.

Mr. Atherley-Jones.
Mr. Godfrey Baring.
Mr. Idris.
Mr. Vincent Kennedy.
Sir John Batty Tuke.

THE LORD HAVERSHAM IN THE CHAIR.

Mr. THOMAS HUDSON MIDDLETON having been called in, is Examined as follows:—

Chairman.

1. You appear here from the Board of Agriculture?—Yes, my Lord, I do.

2. You are aware that we are examining with regard to a Poisons and Pharmacy Bill?—I am.

3. Am I right in suggesting that this Bill is mainly based on the Report of Sir Herbert Maxwell's Departmental Committee?—It is largely based upon the Report of Sir Herbert Maxwell's Committee, but not entirely.

4. Was that a Departmental Committee of the Privy Council appointed by the Duke of Devonshire?—That is so, my Lord.

5. Was its origin due to any representations from the Board of Agriculture?—To some extent, I believe that was the case. The Board of Agriculture did make representations to the Privy Council, and I think it was to some extent because of the representations made by agriculturists that that Committee was appointed.

6. Representations made by agriculturists?—By agriculturists through the Board of Agriculture.

7. With a view to relaxing the restrictions upon the sale of poisons, I suppose?—That is so, my Lord.

8. Had it anything to do with forming a new Schedule of Poisons?—That was referred, I understand, to Sir Herbert Maxwell's Committee, and the majority Report proposed a new schedule, in three parts, as you are doubtless aware.

9. You were not a member of the Committee?—No, I was not.

10. I only ask because I saw it so stated in the Press, but I did not see your name as a member of the Committee?—No, I was not a member.

11. I want to ask a question with a view of ascertaining whether the Board of Agriculture retain the same opinion now as they did then. I will read this to you, paragraph 10 of the Report: "Inconvenience has been experienced by farmers and gardeners owing to the restriction of the sale of poisonous material to registered chemists and druggists in such districts where there is no such qualified tradesman within easy reach. Your Committee are convinced that the inconvenience would have amounted to a very serious interference with legitimate industry had the provisions of the 15th Section been universally put in effect. For example, in the Highlands and Islands of Scotland, where sheep farming is the principal business of agriculture, farmers are sometimes upwards of fifty miles distant from the nearest registered chemist and druggist, and the sale of sheep-dips is regularly carried on by ironmongers and other traders in contravention of the Statute." May I ask you if that is still the view of the Board of Agriculture?—That is still the view of the Board of Agriculture, and it is still the fact with regard to the carrying on of the trade in Scotland. The facts are correct.

Chairman—continued.

12. The distance is not exaggerated?—No, it is not.

13. The next paragraph is this: "A nurseryman and florist in Kent gave evidence as to the extreme inconvenience caused to cultivators when, owing to the successful prosecution of a firm of seedsmen, the sale of weed killers and insecticides was discontinued by nurserymen. He alleged that in horticulture there are numerous small cultivators and amateurs who would use these materials if they could get them, to the advantage of their greenhouses and gardens, but that chemists and druggists do not know what to recommend, whereas the nurseryman have knowledge of the proper remedies and ought to be in a position to supply them." Is that the case?—We find that that is quite the case. We have had numerous representations both from agriculturists in respect of sheep-dips, and from nurserymen with respect to insecticides and fumigating compounds, showing that it would be a distinct disadvantage to them if the provisions of the Pharmacy Act were strictly enforced.

14. Has nothing occurred in your later experience,

Chairman—continued.

ence, this Report being six years old, which induces you to withdraw from those opinions?—No; I may say on the contrary that our later experience has rather strengthened the case for revision of the Pharmacy Act. Since the Departmental Committee's Report was issued the Board of Agriculture has had a Departmental Inquiry into the subject of sheep-dipping, and as a consequence of the Report of that Committee, it was ascertained that arsenical and tobacco dips were of high value for the purpose of dipping sheep. As a consequence of the Report of the Committee, the Board has insisted upon sheep-dipping in all parts of the country. Dipping is now compulsory.

Lord *Saltoun.*

15. Twice a year?—Yes, twice a year. Since the Board has made dipping compulsory it has also made a regulation that all dips which are used must be approved by the Board. The dips which are now approved include arsenical and tobacco dips, and we hold that as the State requires compulsory dipping, and as arsenical and tobacco dips have been approved by the State, and are indeed recommended, no restriction should be placed upon the sale of these substances, which would prove injurious or likely to prevent farmers from making extensive use of them.

16. Are there many places over 50 miles from the nearest registered chemist and druggist?—Not many places; but I may say that the number of places at a great distance does not matter much; it is not an important point. The important point is that these poisonous substances should be capable of being readily procured when required, on short notice. A farmer has to dip his sheep often at very short notice—two or three days' notice. He must communicate with the local police and let them know that he is prepared to dip on a certain day. He must have a certain supply of sheep-dip by that day, and if he cannot get it within a few miles he will store it on the premises; and we consider that there is much greater danger in the storing of these poisonous preparations about farm premises than there is in the purchase of them in properly constructed packages from the village merchant, who is merely an agent for their distribution. The same applies to horticultural preparations.

Chairman.

17. Have you a copy of the Evidence given before Sir Herbert Maxwell's Committee?—I have.

18. Will you turn to page 28? I want to ask you one or two questions upon Mr. Crawford's evidence. Mr. Crawford then represented the Board of Agriculture. Do you hold the same post as Mr. Crawford did?—No. Mr. Crawford, at the time he gave evidence, was head of the Intelligence Branch. I am Assistant Secretary in charge of the Intelligence Division, which has three branches.

19. Very much the same subjects come before you?—Very much the same, but they first come before the Head of the Branch, and then they come before me.

20. Now I want to know whether you agree with his evidence at Question 855: "The Board feel that there certainly ought to be no monopoly as regards the right to sell such substances as sheep-dips and insecticides containing poisonous substances, and they would like to see as few restrictions as possible on the sale of these articles. (*Q.*) As few restrictions as are compatible with public safety, would you say?—(*A.*) That would be their view"?—That is precisely the present view of the Board.

Chairman—continued.

Mr. *Godfrey Baring.*

21. That view has been rather strengthened than lessened, I suppose?—It has been strengthened as a result of recent legislation.

Chairman.

22. Then Mr. Crawford alludes, at Question 863, to the evidence of the Scottish Chamber. Have you that before you?—I have, my Lord.

23. The memorial from the Scottish Chamber was to the effect that: "The restrictions imposed by existing Statutes on the sale of sheep-dips, insecticides, destroyers of vermin, and disease germs on plants of preparations for the prevention of disease in potatoes, grain, or other crops, and for the preservation and protection of plants from disease, confer too exclusive a monopoly on pharmaceutical chemists. That these articles are consequently sold at excessive prices, and thus the expenses of agricultural operations are unduly enhanced." Is that your view, too?—To some extent, but as a matter of fact the law is a dead letter in Scotland, so that the effect upon prices is not clearly seen.

24. They do not prosecute?—They do not prosecute.

Lord *Lawrence.*

25. There have been prosecutions?—They have not affected three-fourths of the dealers in Scotland. I may say that since I was cited as a Witness before the Committee I have made inquiries in different parts of Scotland to ascertain the present practice, and can say that the present practice is that the farmer purchases from the ironmonger or the general merchant or the chemist, as may be most convenient for him.

Chairman.

26. And nobody prosecutes the ironmonger?—The ironmonger has been prosecuted. I heard of one case in Ross-shire where he was threatened, and I read of a case in the South of Scotland. That is mentioned in the evidence before Sir Herbert Maxwell's Committee; but whatever prosecutions may have done, the fact is that the ironmonger sells.

27. May I take you now to Question 926, please? Mr. Crawford says: "What we feel is that all substances or preparations of poisons which are used for purposes of agriculture and horticulture should be exempted from all restrictions such as those imposed by the Pharmacy Act of 1868." Then he says: "There might be information indicating the nature of the article; but we do not consider that the sale should be restricted to one body of traders—pharmaceutical chemists, for instance. (*Chairman.*) You probably had pharmaceutical chemists and druggists in your mind

Chairman—continued.

mind when you said 'Pharmaceutical chemists'? (*A.*) Yes." ?—That is the view of the Board at the present time.

28. With regard to the Scottish Secretary, Mr. Connell, will you turn to Question 1382, at page 45? Mr. Connell was asked: "I suppose there are districts in Scotland where there are no chemists or druggists? (*A.*) That is so. For example, in the Western Isles. You would have to go possibly 50 or 100 miles before you could come across a chemist who could supply these things; and in Perthshire it is notorious that you may go a great many miles before you come across a single chemist, and that is extremely inconvenient" ?—I might go further, and say that when you did come across the chemist you would find he had no sheep-dip for sale. In very few cases in the Highlands of Scotland do the chemists stock any sheep-dip.

Lord *Saltoun.*

29. It is more often stocked by the ironmonger or general merchant at what is called the "shop" ?—Almost invariably.

Chairman.

30. Mr. Connell says at Question 1399: "All I say is that the farmers in Scotland are practically unanimous that it will be prejudicial to their interests if the sale is restricted to chemists, and they say there is no risk of injury to the public in this way—no more risk of injury to the public by selling through an ironmonger than through a chemist, because in either case the seller is merely an intermediary." You do not, I suppose, see any particular danger in selling to an ironmonger?—None whatever, provided the poisons are properly marked and put up in suitable packages——

31. Labelled?—Labelled.

Lord *Lawrence.*

32. Who would see to that?—That, I should think, would be done by regulation. The manufacturer might be compelled to put up his poisons in a suitable state for distribution.

33. Regulation by whom?—It is open, I believe, to the Privy Council, to make regulations.

Lord *Monk-Bretton.*

34. The Pharmaceutical Society is not cut out of it. There appears to be a dual authority provided for under this Act?—That is so. The Pharmaceutical Society will be the prosecuting authority, and the Privy Council will make regulations.

35. Might the County Council, that grants the licence to the ironmonger, be the prosecuting authority?—I do not find that in the Bill.

36. No, but in the Privy Council proposals?—The Privy Council is empowered to make regulations.

37. That is Clause 5?—Yes. Might I refer back to the question which was asked me about the chemist in the country district. I want to point out why it is inconvenient for chemists in many country districts to stock the sheep-dips. They are usually ordered by letter, and are then delivered by the traders' carts at the dipping places where they are required. The county chemist, even if he keeps sheep-dip, does not keep a cart and is not in a position to distribute his materials through the country districts. That is a serious drawback.

Lord *Monk-Bretton*—continued.

Chairman.

38. Whereas the ironmonger has already many dealings with farmers, and could distribute sheep-dip and weed-killers easily to them?—He could do so. He is a general merchant.

Lord *Stanley of Alderley.*

39. In fact, he is the village shop?—Yes, he has the village shop.

Chairman.

40. Would you look please at Question 2597—Mr. Darlington's evidence. Mr. Darlington is a member of the Council of the Worcestershire and Herefordshire Agricultural Society, and he is asked: "Do you find any inconvenience arising from the present restrictions? (*A.*) Considerable. (*Q.*) Would you describe the nature of it? (*A.*) In the first place we are obliged to go to the chemist wherever he may be, and as you know, a chemist simply charges what he likes for an article. An ironmonger or a nurseryman—I will not say a nurseryman in this case—but the ironmonger whom we had it from formerly sold it cheaper, and there is very great difficulty in getting a chemist in some districts." Do you agree to that?—I agree generally to the proposition that, if there is only one trader who deals in articles in a district, the prices are likely to be higher.

41. Would you agree with Question 2599. "What you complain of is that it is a practical monopoly"?—That is so, my Lord.

42. "It is a dead monopoly, and dead against the interests of the British farmer"?—Yes. Independently of the question of price, there is an objection to monopoly, because manufacturers might not be able to arrange terms with a particular agent in one district, and consequently the dips of one manufacturer might be shut out from a particular district, which might be highly undesirable if they were of a suitable kind.

Mr. *Godfrey Baring.*

43. In practice there has not been a monopoly in Scotland lately because the Act has been a dead letter?—Yes, that is so; the Act is a dead letter.

Chairman.

44. May I ask you to look at Question 3562, in the evidence of Mr. Bowen-Jones, the Chairman of the Chemical Committee of the Council of the Royal Agricultural Society of England: "Are you fairly well supplied in the West with registered chemists and druggists? (*A.*) In the towns, of course—in the large towns, such as Shrewsbury and Oswestry, and places of 10,000 inhabitants, there would be a chemist. (*Q.*) But the convenience of the farmer would be better met, would it not, in many cases if the general tradesmen, the ironmongers and so on, were permitted to sell them? (*A.*) That is the feeling in my part of the country. (*Q.*) There is a feeling to that effect,

Chairman—continued.

effect, you think? (*A.*) Yes, there is a feeling on the part of the farmers that they would like to be able to purchase their poisonous compounds in a free market, not confined to pharmaceutical chemists." Does your knowledge of the West of England tally with that?—Yes. Our view is that the conditions on the Welsh hills are very similar to those of Scotland. The number of chemists' shops is greater, but the other conditions are very similar.

Lord *Stanley of Alderley.*

45. You do not limit yourself to a particular part. You give evidence for the whole country?—I give evidence for the whole country, but I was asked about a particular district.

46. You do not want to limit it?—No.

Lord *Saltoun.*

47. Is the law a dead letter in that district?—I believe not. I have been told that there have been some prosecutions that have been fairly successful from one point of view.

Mr. *Godfrey Baring.*

48. You would say, generally, would you not, that the complaints have come from agriculturists in all parts of the country?—Yes; I have a list here.

49. They are not limited to sparsely populated districts a distance from town?—No.

Lord *Lawrence.*

50. Does your Board include Ireland in its list?—There is a separate Department of Agriculture for Ireland. I cannot speak for Ireland.

Chairman.

51. With regard to an opinion which you have expressed, may I ask you to look at a letter which appears in Appendix 2, page 129: "Board of Agriculture, 4, Whitehall Place, S.W., 21st June, 1898. Sir,—With reference to your letter of the 29th April last, transmitting a copy of the draft of the Poisonous Substances Bill, I am directed by the Board of Agriculture to state, for the information of the Lord President of the Council, that it appears to the Board that agriculturists are entitled to ask that the sale of such articles as fertilisers, sheep-dips, insecticides, and other chemical preparations used for agricultural or horticultural purposes, should not be restricted to pharmacists, and that no statutory conditions should attach to their sale unless they contain poison in such a quantity as to render it practicable that human life may be destroyed through their instrumentality, in which case some such requirements as those set out in Clause 1 of the Bill, as circulated, might fairly be enforced." Do you endorse that?—I would endorse it with the exception of one word. Instead of "in such quantity," I should say "in such form." That is what is important. The point is whether the poison is present in a form which would lend itself to criminal action or to accidents through negligence.

52. You refer to the form of packing?—Yes, and also to the way in which it is manufactured.

Chairman—continued.

If you have tobacco, for example, mixed with whale oil and other things in sheep-dip, it is not likely that anyone will swallow that particular material.

Sir *John Batty Tuke.*

53. The arsenic in these preparations might be dangerous?—It would be dangerous if not carefully employed. It must be used with caution.

Chairman.

54. You are very strongly of opinion that all poison bottles sent about should be labelled "poison"?—Undoubtedly.

55. Do you consider that Clause 2 of this Bill carries out the extension to others than chemists of the power of selling the poisons. Are you satisfied with that clause?—Speaking on behalf of the Board, I may say that this clause represents a compromise, and that it does not entirely follow the lines of Sir Herbert Maxwell's Committee's Report. You will notice, I think, that Sir Herbert Maxwell's Committee proposes that Schedule A of the Act should have three parts—Part III. to include preparations of arsenic, tobacco, and carbolic acid for use in agriculture or horticulture.

Lord *Saltoun.*

56. Where is that?—That is in the Committee's Report, pages 7, 8, and 9. The preparations scheduled in Part III. were to be sold by licensed persons, not necessarily registered chemists, that is, they were to be sold by registered chemists and also by certain licensed persons; but, further, the poisons scheduled in Part III. were to be exempt from the provisions of Section 17 of the Act of 1868, except those preparations to which the provisions of the Arsenic Act of 1851 apply. The present Bill appears to effect the first only of the proposed changes. That is to say, it creates a new class of seller—the licensed vendor of poisons—and it does not even do that in the unqualified form that was suggested by the Committee, because it says, with regard to the licensing of persons, in Clause 2, Subsection (2): "Before granting any licence under this section the local authority shall take into consideration whether in the neighbourhood where the applicant for the licence carries on or intends to carry on business the reasonable requirements of the public with respect to the purchase of such poisonous substances as aforesaid are satisfied." That particular subsection does not appear to me to have been contemplated by the majority Report of the Committee.

Chairman.

57. They did not take into consideration the question of local authority?—No, nor the proviso about the reasonable requirements of the public.

Lord *Stanley of Alderley.*

58. That makes it possible for the local authority to keep alive a limited monopoly?—That is so.

59. In fact, it is a hint to them that they can do so in some cases?—It is a hint to them that they

Lord *Stanley of Alderley*—continued.

they can in some cases, and that, I think, was not contemplated by the Committee. I cannot find it in the Report.

Chairman.

60. But it may be contemplated by the Privy Council?—That is so, but from the point of view of the Board of Agriculture it is not a provision that entirely meets our case. That is what I am pointing out. Then, since Section 17 of the Act of 1868 remains in force, if this Bill is carried into law and if the law is strictly enforced, it will be necessary for a farmer who orders a sheep-dip from a dealer, containing, for example, tobacco, to sign a register before delivery. It is obvious that personal attendance at a dealer's shop for the purpose of purchasing a tobacco sheep-dip might be a very serious inconvenience to a farmer in a busy season, and it seems to us to be entirely unnecessary that in the case of such substances as do not lend themselves to the purposes of criminals, or substances which it is practically impossible that anyone could take by accident and poison himself with, this restriction of signing the Poison Schedule should remain in force. That provision is meant to guard against the sale of such things as pure arsenic, cyanides, or strychnine, substances the sale of which it is always necessary to be able to trace.

Lord *Saltoun.*

61. He could order them and sign for them when they were delivered by the cart, could he not?—No. I doubt whether that would satisfy the law.

Lord *Stanley of Alderley.*

62. Where is the passage about his having to sign the book?—Section 17 of the Act of 1868.

63. This incorporates the Act?—Yes, this Bill incorporates the provisions of Section 17 of the Act of 1868.

Chairman.

64. A farmer getting sheep-dip now has to sign something?—A farmer now getting sheep-dip orders it from the local merchant, and it arrives at his tank ready for use. The merchant delivers it on the written order of the farmer. There is no necessity for the farmer to attend personally, nor is there any need that the farmer's man who goes to get the dip should be personally known to the tradesman who sells.

Lord *Saltoun.*

65. Is there now?—There is now if the law were strictly enforced; but in the conditions under which the law is carried out in Scotland it is a dead letter.

Lord *Stanley of Alderley.*

66. Do you think that for purposes of identification, if the law of 1868 were amended so that it would be sufficient if the man who ordered the stuff signed the delivery book, so that his signature could be kept by the dealer, that would be sufficient?—That would be sufficient, in my opinion.

67. Delivery being at the farm, he could sign the book at the farm, and you could get identification without his having the trouble of going six or seven miles?—Yes. There is no reason whatever why there should not be signature on delivery.

Lord *Stanley of Alderley—continued.*

68. A Welsh hill farmer might sign at the farm, instead of going into the village?—Yes, that is so.

Mr. *Idris.*

69. You know Appendix 8, I suppose, in this Report of Sir Herbert Maxwell's Committee?—Yes, I know that.

70. Have you made yourself familiar with the statements of Coroners and Juries?—No, I cannot say that, beyond reading these remarks, I have. I have not made a personal study of the remarks of Coroners and Juries.

71. Will you turn to page 166?—Yes; "Accidents resulting from the use of poisonous compounds."

72. Without taking you through each item, I suppose you will agree with me that these are very sad mistakes?—Very sad mistakes.

73. Very sad accidents, and that every possible restraint should be put to prevent their increase?—We entirely agree; but we think that the restraints which are proposed are of the wrong character.

74. In what way?—We think that these fatal accidents which arise are not due to the class of person who sells the goods, but to the manner in which the goods have been put up or exposed for sale. You see here a great number of cases of poisoning by weed-killer. Now it seems to me that the important point is that weed-killers should be manufactured of such a character that it would be impossible to drink them by accident. They should have a distinctive colour or some strong odour. It is not the mere fact that the can of weed-killer comes from a chemist or comes from an ironmonger that makes it dangerous; it is the fact that the weed-killer may be a nearly colourless substance, which, when diluted, looks very much like ordinary water, and therefore may be drunk by accident.

75. You do not think that the trained discretion of the seller comes in at all?—Undoubtedly. But if you ask me about the trained discretion of the seller, I think that we have a very clear hold over the seller in the proposals of the Bill; that is to say, we license certain people to sell poisons, and, having licensed them by an annual licence, we have really a better hold over such men than we have over the chemist, who, if he does make a mistake, is probably told not to do it again, and continues selling.

76. But you agree with me entirely that, so far as possible, these numerous and sad accidents should be prevented?—Entirely.

77. Do you know whether these accidents have increased in frequency since the publication of this Appendix?—That I cannot say. I have not had a return prepared.

78. Do you know that the composition of weed-killers remains much about the same?—Very much the same, I think. As far as I know they are largely arsenical.

79. Have you sent out information as to the killing of weeds, in any of these leaflets or pamphlets which are issued by your Department?—

I have

Mr. *Idris*—continued.

I have not sent out any information, and I do not think that the Department has sent out any information with respect to weed-killers; but we frequently make recommendations with regard to poisonous preparations, such as insecticides and preparations for fumigating purposes. Personally speaking, if I may state my own view, I always discourage the use of these weed-killers.

80. For the present purpose I wish only to refer to weed-killers and to nothing else. Do you consider it necessary that poisonous preparations should be used by people as weed-killers instead of non-poisonous?—It is a saving of labour. There is obviously no necessity; because, if one chooses to pay rather more for labour to do the work, it can be done.

81. Have you any personal experience with regard to their use?—No, I do not use them.

82. If I told you that I have had personal experience upon this subject, and that I have found that non-poisonous preparations such as common salt are not only very much more effectual, but very much cheaper and entail very much less labour, what should you say?—I agree.

83. You agree?—Yes. I have used common salt for gravel walks.

84. That is the case?—Yes.

85. Not only is that my own experience, but referring to my gardener this morning, he tells me the very same thing, and tells me what he has done. So that the use of these poisonous weed-killers is altogether unnecessary?—I am afraid that with regard to the necessity, it is a matter of opinion.

86. But if you did such good work with regard to giving information on that matter as your Department does in regard to other things, do not you think it would entail a saving of many human lives?—I will take into consideration the preparation of a leaflet on the subject.

87. What is the temptation to sell these poisonous dips and weed-killers?—The temptation is that the manufacturer finds it profitable to do so, and the public seem to find that it is a cheap way of killing weeds, that is all.

88. If it is not as cheap, if the manufacturer gets a larger profit from the poisonous articles, consequently the man who uses the weed-killer (I will not call him an agriculturist or a horticulturist) suffers?—Yes.

89. And, in addition, all these lives are sacrificed?—Yes. It may not be an economical practice, but if the public think it is an economical practice we, at least, cannot interfere with them. We may give them advice.

90. Is it not your duty to give advice on these things?—Yes. Last week I had a letter asking me to recommend a weed-killer, and I strongly recommended the man to use ordinary labour for the purpose in view.

91. I hope you will continue that course?—Yes, I shall.

92. Now can you tell us anything about the origin of this agitation to have free trade in poisons?—The origin is undoubtedly due to the fact that when the Pharmaceutical Society began to institute proceedings, the large number of traders who were selling illegally found out their position, and they, very naturally, did not wish to abandon a profitable and lucrative trade, and they agitated to have a change in the law.

Mr. *Idris*—continued.

93. And consequently this agitation was got up by manufacturers and shopkeepers and dealers?—No, not at all. No doubt manufacturers and shopkeepers have taken part in the agitation, but the agitation is a genuine one, and if the law were to be strictly enforced at the present time, you would have complaints from agriculturists in many parts of the country.

94. Can you give me a single instance (you know this Report, of course) in which a farmer has given evidence in favour of that contention?—I wrote to 12 farmers on Friday afternoon to get information on this particular point. These farmers are personally known to me, and perhaps you will allow me to read one or two extracts from the letters. May I have your permission, my Lord?

Chairman.

95. Certainly?—I addressed my letters to sheep-farmers and those most interested in these dips A farmer writes from the border counties: "It is quite a usual thing in this part of the country for ironmongers and general merchants to sell poisonous sheep-dip, that is, containing both arsenic and tobacco as ingredients. I get them both from the chemist and the ironmonger, or rather, the general merchant. I think it would be a great mistake to limit the agency of these dips to the chemists. To illustrate it, I will just show you what is would mean to me. At a rule I dip 3,000 to 4,000 sheep in summer, generally within a week at a time, when we are very busy and hampered to a certain degree by dipping regulations and the vagaries of the weather. I give notice to the local police that I will dip in two days and a postcard to the village merchant 4½ miles off will secure me dip at once, delivered by his cart at the dipping place. If I must go to the chemist it will take my own cart to go 15 miles to the nearest town, and 15 miles back before the dip is at the dipping place. The case is aggravated if one finds that the dip is running short, and though the manufacturers give out that so much will dip 100 sheep, it is quite easy to be out of the calculation in dipping 5,000. In the case of the village it is easy to get more. Very few villages have chemists. Most of the country doctors do their own dispensing. No chemist that ever I knew had a country cart. My own case is simple compared with some others where the nearest chemist may be 25 miles away."

96. We ought to have these letters put in, and have an opportunity of inquiring into them, and giving rebutting evidence if we are to have time taken up by the reading of them?—The question was asked me.

97. It was in answer to a question?—Yes. The Honourable Member asked me if I had any evidence from a farmer. I said that I had a letter in my possession which I would read to him. and I read from the letter.

Mr. *Idris.*

98. Perhaps I ought to have explained that I was

Mr. *Idris*—continued.

was referring to this particular Report of Sir Herbert Maxwell's Committee, when I said " Have you any evidence from a farmer " ?—That was a report on subjects which were inquired into five or six years ago.

99. But is there evidence from a single farmer in the Report ?—Mr. Darlington is a farmer, I believe, but I am not quite sure that farmers were called upon to give evidence. Might I explain, my Lord, that the letter which I read was written by one of the official correspondents of the Board of Agriculture, whose duty it is to give information to the Board on any subject connected with agriculture.

99A. I may assume that you are quite agreed that any regulations or restrictions that are necessary for the saving of human life should be put into the Bill ?—I agree ; any that are necessary for the saving of human life should be put into the Bill.

100. And that the articles when put up should not be of such a form as to be dangerous to anybody who comes across them—dangerous for criminal purposes or dangerous for suicidal purposes or dangerous accidentally ?—That is a very wide proposition. Of course, it all depends on the circumstances. I could not give an unqualified answer. We must accept a certain amount of danger in many such things. For example, gunpowder is a dangerous thing if used carelessly, but I should not advocate the suppression of the sale of gunpowder because human life was occasionally endangered by accidents with it.

101. Not if there is an advantage gained by its use ?—There I agree. The advantage must outweigh the risk.

102. You know that arsenic is one of the most tasteless and one of the most powerful poisons ?—Yes.

103. And it has been used in cases of crime to such an extent that a dozen people have been known to be poisoned by the same woman before she has been found out and punished ?—Perhaps.

104. Is the killing of ants a portion of what you would consider an agricultural or horticultural purpose ?—It might be an agricultural or horticultural purpose. We sometimes get people consulting us on such subjects.

105. Have you seen an ant destroyer of that character (*passing a bottle to the Witness*) ?—No ; I have not seen that ant destroyer.

106. You will see the amount of arsenic in there. If I tell you that that is about a couple of ounces of arsenic and a couple of pounds of brown sugar, and that in that form it costs about 4d., or at the outside 6d., and is sold for 3s. 6d., is that an illustration of the way in which you would recommend that poisons should be distributed ?—No ; and I never said that that was an illustration.

107. The prices of almost all of these poisons are principally made up of profit ?—That may be. As an agriculturist, I should like to see the profits rather less. We want to diminish them.

108. Are not the large profits the main reason why these poisonous preparations are increasing in sale ?—You think it is because of the large profits ?

109. Yes, because the manufacturers get so much out of the sale ?—Because of the monopoly, you mean ?

110. To some extent a monopoly. They can spend large sums in pushing them and introducing them that they cannot spend in other cases ?—I agree that this might be a danger, and that if you diminished the monopoly the danger would be lessened.

111. Diminish the monopoly of manufacture ?—Yes.

112. Would not the best way to do that be for the Board of Agriculture to give a formula for preparing these things ?—I am not prepared to admit that that is the best way to do it.

Lord *Lawrence.*

113. Do you think that with the extra facilities given by this Bill the public run greater risk of accidental poisoning ?—No, my Lord.

114. No greater risk ?—No greater risk.

Lord *Stanley of Alderley.*

115. You agree that poison when sold should be so distinguished by the package, or the labels, or other methods, or by the taste, as to make it as safe as possible, and so lessen the danger to human life ?—Yes.

116. You would make the regulation, whoever sold the stuff, whether chemist or merchant ?—Yes.

117. If I bought poison from a chemist or from a merchant, it would not make much difference from whom I bought it if it had the same appearance and make-up. It should be equally protected when used on the farm ?—Yes.

118. The fact that I bought it from a chemist would not make it any safer if it was made up in the same way than if I bought it from an ironmonger ?—No.

Mr. *Atherley-Jones.*

119. Do you suggest that any further regulations are required as to the form of packing poison ?—I have not come here to suggest regulations, because I do not know that we would be asked to make regulations. But what I can say on behalf of the Board is that we think the regulations should be stringent, and that every possible precaution should be taken to prevent accident. The view of the Board is that we must look rather to the regulation of the manufacture and the character of the package than to the trader who distributes it.

Mr. *Idris.*

120. In the Fertiliser and Feeding Stuffs Act you have some instructions or directions with regard to the contents of the effective portions of the mixtures, that is that the percentage of really effective things in the mixtures should be stated ?—Yes.

121. Should not you think it as well to apply it to these poisonous compounds ?—If Parliament orders it to be applied, I think that it would be a measure that could readily be carried out, but it is not for me to say whether such requirements should be imposed or not.

122. The

Chairman.

122. The Privy Council make the regulations? —Yes.

Mr. *Idris.*

123. You do not intend by this Bill to supersede the Arsenic Act in any way?—No, we do not.

124. Nor the Poisoned Flesh Act?—No.

125. Nor the Poisoned Grain Act?—No.

126. You are not prepared to give an opinion as to whether it would be desirable to publish the percentage of effective things for these purposes, so as to lessen the danger from the sale of poisons? —I think I may give a personal opinion, that it would be useful to publish the composition. Whether it is right that the publication should be required is another matter. From the point of view of the purchaser and the user, it is always desirable to have as much information as possible on such subjects.

127. Do you agree that there has been a great increase in recent years in the use of poisons for horticultural and agricultural purposes?—Yes.

128. In what connection has the sale of those poisons increased?—Very largely in the use of insecticides.

129. Has the increase of the sale of these poisonous subjects been in any way restricted by the Pharmacy Act?—That is difficult to answer. In certain districts the use seems to have been restricted where prosecutions have taken place. In other districts very little attention seems to be paid to the Pharmacy Act.

Lord *Saltoun.*

130. Practically, up to the present time, the whole of these sales have been a monopoly of chemists, not really, because the law has been broken, but practically?—Yes.

Lord *Stanley of Alderley.*

131. Is it not the fact that the dipping of sheep is now carried on largely on the co-operative plan by sheep-dippers going round the farms and doing them at so much the hundred?—A good deal is done, but I do not know that one can say it is largely done in that way.

132. And these people buy the dips from the manufacturers?—Yes.

133. And they buy them from the chemists?— They may.

134. Does the Pharmacy Act in any way interfere with the work of these professional dippers? —I do not think it does. A dipper, however small the number of sheep may be that he has to dip, seems to be able to get his dip wholesale from the manufacturer, but whether he conforms with the law or not, I am not prepared to say.

Lord *Stanley of Alderley*—continued.

135. It is really quite easy for him, then, to get as much as he likes now?—Yes, in certain districts.

136. The farmer in that case does not use it himself?—No.

Lord *Monk-Bretton.*

137. I want to ask one question about the local authority. You are from the Board of Agriculture?—I am.

138. I do not want to ask you anything that I should ask the Local Government Board, but from the point of view of the Board of Agriculture, who do you think is the best local authority to grant licences—or would you rather not answer the question?—I would rather not. I have my own views, but we have not fully considered the question. It is one for the Privy Council.

Lord *Saltoun.*

139. Professional dippers do not come round in Scotland to dip sheep. I believe that it is the same in Wales. It is done by the farmer in Scotland. Is not that the fact?—That is so.

Mr. *Idris.*

140. Are not non-poisonous sheep-dips used in Scotland generally, and arsenical ones scarcely at all?—No. I would not like to give an estimate, but my impression is that arsenical and carbolic dips are about equally popular.

141. Is the carbolic mainly used?—I would not say mainly. I do not know, but I should think not.

142. Inconvenience would not be felt in a large town like London or Glasgow or Edinburgh?— They have not many sheep, I should think.

143. Sheep farmers go there, I suppose?—They do not send there for their dips.

144. It is not necessary to have any additional poison sellers in the urban and Metropolitan areas, is it?—I do not know. I am not to anticipate the local authority that is to consider the reasonable requirements of these districts.

Chairman.

145. We are much obliged to you.

(*The Witness is directed to withdraw.*)

Mr. THOMAS WALLACE RUSSELL, a Member of the House of Commons, is Examined, as follows:—

Chairman.

146. You are here on behalf of the Department of Agriculture in Ireland?—Yes.

147. May I ask you what view you take as regards the extension to Ireland of the provisions of this Bill?—I can give it very briefly, my Lord.

148. What is the exact office you hold?—Vice-President of the Irish Agricultural Department. The Irish case may be put in four propositions. First, that representations have been received by the Department from local bodies urging that additional facilities are required; secondly, that the Council of Agriculture, which may be regarded as widely representative of the agricultural interest, have more than once passed strong resolutions in favour of the extension of this Bill to Ireland. I may say that the Council

Chairman—continued.

of Agriculture consists of 103 gentlemen, partly nominated by the County Councils and partly nominated by the Department itself. I think they have passed resolutions on two occasions recently calling for the extension of this Bill to Ireland.

149. They are representatives of all parts of Ireland?—From every part of Ireland. Thirdly, there are certain areas, particularly in the north-west, south, and south-west of Ireland in which there are few, if any, persons entitled under the existing Pharmacy Act to sell either poisonous dips or weed killers. I will give the Committee briefly some illustrations of that. The fourth point is that I myself received a deputation last year from members of the Pharmaceutical Society, who, after discussion, did not express themselves as opposed to the principle of the Bill. What they were nervous about was that unqualified men might be appointed where there are qualified men already. Of course, that is a matter for the licensing authority. These are the four propositions that I wish to put before the Committee, and I should like to add that the want is so great in many parts that I am very much afraid a very considerable illicit trade is carried on. I have before me a list of the Irish counties, with the facilities in those counties for the supply of these things. I will take County Clare. There is no difficulty in counties like Dublin or Antrim or Down, or such places. No difficulty arises at all, but when we get to the outlying parts of the country the difficulty is very great.

150. In consequence of the absence of chemists?—Yes. In the whole county of Clare for example there are only nine pharmaceutical chemists; there are two chemists and druggists, and there are two registered druggists.

Lord *Stanley of Alderley.*

151. Are some of these two or three in one town?—Five are in the town of Ennis.

152. It is not nine spots, but five are concentrated in one spot?—Yes; Donegal is a larger county. There are ten pharmaceutical chemists, three chemists and druggists, and three registered druggists.

153. Can you give us Mayo?—I will give you that in a moment, my Lord. In Fermanagh there are seven pharmaceutical chemists, two chemists and druggists, and two registered druggists. In Galway, which is one of the largest counties in Ireland, and very scattered, there are seven pharmaceutical chemists, four chemists and druggists, and seven registered druggists; Kerry has 20 pharmaceutical chemists, no chemists and druggists, and one registered druggist; King's County, five pharmaceutical chemists, two chemists and druggists, and three registered druggists; Leitrim, nine altogether—two pharmaceutical chemists, four chemists and druggists, and three registered druggists. I might go on through the whole of the counties of Ireland, but I need not occupy the time of the Committee.

Chairman.

154. Have you had representations from all of those counties?—Perhaps you will allow me to answer Lord Stanley's question first, my Lord. Mayo is the most conspicuous of the whole. In the whole County of Mayo there are three pharmaceutical chemists, 12 chemists and druggists, and no registered druggists.

Lord *Stanley of Alderley.*

155. That is a county of about 1,500 square miles?—Yes.

Lord *Monk-Bretton.*

156. Under the Irish Act of 1890 is it not the case that the Irish Pharmaceutical Society has the right to grant licences?—Yes.

157. Are those included in what you have told us?—Yes. Everything is included in the figures I have given.

158. All licences?—Yes. I have given the three bodies—pharmaceutical chemists, chemists and druggists, and registered druggists. The Council of Agriculture represents the whole of the counties, and the resolution which they passed was passed with perfect unanimity on two occasions.

Lord *Lawrence.*

159. Has any Petition against this Bill been presented in Ireland?—None whatever, unless by the pharmaceutical chemists. Inasmuch as I have mentioned the deputation that waited on me last year, I think I ought to read one paragraph, if I am not occupying too much time. We had a long discussion, in which I urged the very points I am now putting before the Committee, and the hardship on small farmers, not men with carts and vans, as in Scotland, Wales and England, but small farmers in outlying scattered districts. I urged on the Pharmaceutical Society the difficulty that these men really had, and that the law was not carried out and could not be carried out. Mr. Wells stated distinctly that they would be satisfied if they could be certain that unqualified men would not be planted down in districts or towns where qualified men already existed. I brought him to that, and I thought really that with the complaints that we had, with the testimony of the Council of Agriculture, and with the pharmaceutical chemists brought that length in breach of the monopoly, I ought to ask that this Bill should be extended to Ireland. I know of no opposition to that in the country except the opposition of the pharmaceutical chemists.

Chairman.

160. What body would you propose should give the licences?—Well, my Lord, I think the County Councils are very excellent bodies of men. They have done admirable work so far. I have had very long experience of Ireland, and I should have perfect confidence if the licensing power were committed to the County Councils. I do not mean to say that occasionally there would not be what we call in Ireland a "job," or anything of that kind, but, speaking generally, they are an excellent authority, and, I am sure, would do the work well.

161. Are

Lord *Saltoun.*

161. Are there a great number of sheep grown in Ireland?—Yes, in some parts of Ireland a large number. In Mayo, for example, there are great sheep-walks; but I should like to point out that it is not a question of the number of sheep.

162. No?—A small farmer with half a dozen sheep may do as much injury to his neighbours as a large one.

163. Quite so. I was not talking about big or little farmers, but there are a great number of cattle grown?—Yes. There are some very big sheep-walks in Mayo, for example, as I have said.

Mr. *Idris.*

164. Has any evidence been taken from the Pharmaceutical Society of Ireland, or any other body, as to the desirability of this Bill including Ireland?—All that I know about the Pharmaceutical Society is that they waited upon me and that I brought them to the position that I have described.

165. But from this particular Report of Sir Herbert Maxwell's Committee I gather that there was no evidence given on behalf of Ireland of any kind whatever?—I am not aware whether there was or not. I only took office about 12 months ago.

166. Can you give me the name of any town in Ireland where there is no qualified chemist or druggist?—I have all the towns here. It is not a question of the towns, because Ireland, I must ask the Committee to remember, is not a country of towns. There are only five or six towns with a population of over 30,000. It is the country districts I am thinking of, the great stretches of country where farmers have to travel long distances now to get the sheep-dip. I am afraid they do not deal much in weed-killers. I wish they did more. It is not a question of towns. I have already said that in counties like Dublin or Antrim or Down the difficulty does not arise at all. It is in the outlying districts of Connaught and parts of Munster.

167. Can you give us particulars of the evidence on which you base that statement? I have given the Committee, from a Return compiled by the Department, the number of chemists, and the Committee must draw their own conclusions as to the number being sufficient.

Lord *Saltoun.*

168. I suppose the farmers have to go 25, 30, 40 or 50 miles into town to get their sheep-dip now?—I am perfectly certain that there are farmers in these outlying districts who have to go 30 miles, and it is not a question of horses and carts. They have not got them.

Sir *John Batty Tuke.*

169. If this Bill were applied to Ireland, should the County Councils be authorised to license shopkeepers in the villages?—I should imagine they would take the most responsible shopkeepers in the villages to supply the articles.

Mr. *Idris.*

170. Is there a Veterinary Department in connection with the Department of Agriculture in Ireland?—Yes.

Mr. *Idris*—continued.

171. Have you had any report from the Department in favour of the Bill?—Yes, strongly in favour of the Bill.

172. Can such Department produce any evidence of danger to the country from want of facilities for purchasing these poisons?—I think there would be no difficulty in doing that.

173. You have not any evidence with regard to that?—No. I merely came for the purpose of urging the necessity of applying the Bill to Ireland, but I have consulted the Veterinary Department.

174. Is it not a fact that the principal amount of sheep-dipping is done by men who make a profession of doing the work?—Yes.

175. Not by the farmers?—No.

176. These men buy the dips in wholesale quantities?—Yes. They do not go to the outlying districts; they go to the centres.

Mr. *Godfrey Baring.*

177. Small farmers have to dip themselves?—Yes.

Mr. *Idris.*

178. They do not do their work in the outlying districts? Do you think that an arsenical dip is necessary for the treatment of sheep scab?—That is the opinion of the expert of the Department.

179. After this inquiry into sheep-dipping, did not you issue from your Department formulæ for curing scab?—We are constantly issuing them.

180. Many of them were poisonous and a great many non-poisonous?—There are only two kinds that I know of—the arsenical and the carbolic.

181. The first three formulæ published or recommended by you were for non-poisonous dips, were they not?—Where there is difficulty in obtaining one, we recommend the other.

182. You first recommended three, and the whole three are non-poisonous?—That may be so.

183. And consequently, it follows, does it not, that the extension or free-trade in arsenic is not necessary?—There we differ from you. If you cannot get arsenical sheep-dip, you get the next best thing.

184. Do you consider that is better than the three you recommended?—That is the opinion of the Department.

185. Why did you recommend those three first then? How was it?—Because of the difficulty of getting the arsenical dip.

186. Are you sure that you obtained evidence of the difficulty of getting arsenical dip? Was not it just as difficult to get these non-poisonous dips as the arsenical dips?—No. Anyone can sell the non-poisonous dips.

187. Yes, I know, but was not that the reason why you recommended them?—No. The difficulty of getting an arsenical sheep-dip threw us back on doing what we could.

188. But did not you recommend the best article to be used irrespective of the difficulty of getting an arsenical dip or otherwise? These men who go about professionally buy the arsenical sheep-dips in the largest wholesale quantities, and get them at the lowest price?—There are

Mr. *Idris*—continued.

districts in Ireland, as I told the Committee, where a man would have to travel 30 miles before getting an arsenical sheep-dip. We have instructors all over the country, and we recommend the people to get the dips which they can get in these places without such inconvenience. It was either that, or doing nothing, or having the law broken.

189. You are of opinion that there should be an inquiry whether the farmers of Ireland require this ?—No, I am not.

190. You are so satisfied that you do not think that inquiry is necessary ?—I am satisfied that all the inquiry has taken place that is necessary.

191. You have nothing to do with these statements on the Poisons and Pharmacy Bill that have been handed to me this morning ?—I do not know what they are.

192. A statement of Mr. Pearson, traveller and representative of Messrs. Hugh Moore and Company, and a statement of Mr. Smith, the Secretary of the Irish Agricultural Wholesale Society. You do not know anything of them, and you do not endorse them ?—No.

Lord *Stanley of Alderley.*

193. In the whole of Sligo, I see there are only three places where a man can buy these things ?—The whole way from Sligo to the eastern border of the county, about 24 miles, there is no place where you can get them. I think it is a great hardship, and we cannot expect the law to be carried out if Parliament puts difficulties in the way.

194. I only want to call your attention to the fact that in that immense, or very substantially large county there are vast tracts where a man cannot get them ?—Certainly. Sligo is a notable case.

Lord *Monk-Bretton.*

195. You recommend the County Councils as licensing authorities. If this Bill applied to Ireland, you will have two licensing authorities—the Pharmaceutical Authority and the County Councils ?—I recommend the County Councils. I was asked the question. I should think they are very excellent authorities.

195A. Would confusion or difficulty arise, do you think, from having two authorities ?—I do not think so. I do not think that the County Councils would license people where they are not wanted.

196. What do you think is the best local authority to license ?—The County Council.

197. But it is not only a question of the County Council, but of the municipal borough having a population of over 10,000 which would be within the County Council area ?—Then you have the Urban District Councils or the Corporations of Cities.

198. My question is, would you rather have them than the County Councils ?—I do not know. I think this is more a rural than an urban matter.

Lord *Stanley of Alderley.*

199. Take the town of Sligo ?—I would rather have the County Council of Sligo than the Municipal Corporation in a matter like this. When I said

Lord *Stanley of Aderley*—continued.

the County Council, I was really thinking of the country, not of the towns.

Lord *Monk-Bretton.*

200. Your recommendation then is contrary to what the Privy Council suggest ?—I am very sorry that it should be so.

Mr. *Idris.*

201. There was considerable evidence as to the advantages and disadvantages of poisonous and non-poisonous sheep-dips given before the Dipping and Treatment of Sheep Committee, was there not ?—Yes.

202. Was there not some evidence given to the effect that arsenic had a very bad effect on the wool, and was much more unsatisfactory than the non-poisonous dips ?—I am not aware of that.

203. Question 1589 : "Have you any experience with reference to arsenious or other poisonous dips ? (*A.*) Yes, we have had an unfortunate experience with arsenic. It seems that arsenic in certain processes that it has to go through, becomes insoluble, and when that happens it goes forward through all the processes of washing, scouring, dyeing, finishing and all the processes that you can think of. In the case of Norway, they absolutely decline to take in goods that have practically any trace of arsenic whatsoever. So keen are they about this that they actually make it apply to carpets as well as to anything that can possibly come in contact with the skin. (*Q.*) Is it your opinion that arsenic was introduced through the wool ? (*A.*) Yes. (*Q.*) Through the effect of the dips on the treatment of the wool previous to your dealing with it ? (*A.*) Yes, I have no doubt about it. (*Q.*) It could not have come in in any after process in the dyeing ? (*A.*) No. (*Q.*) Have you had any complaints lately about that, or was that some time ago ? (*A.*) The last communication we had with the Norwegian Government on the subject was roughly from 12 to 18 months ago, when a quantity of stuff was returned." Then he goes on to give similar evidence ?—Is this an Irish witness ?

204. That is Mr. Fawcett, Chairman of the Wool Trade Section of the Bradford Chamber of Commerce ?—I know nothing of this. My Lord, would you allow me to hand in a clause from the Irish Office with regard to the extension of the Bill to Ireland. *That* is an official clause. (*Handing the same to the Committee.*)

Lord *Saltoun.*

205. Applying it to Ireland ?—Yes.

Chairman.

206. Did not a Bill pass through the House of Lords, with the inclusion of Ireland ?—Yes, it did. The 1906 Bill applied to Ireland. When I found that for some reason or another the present Bill did not apply to Ireland, I immediately wrote to Lord Crewe and asked that it should be applied; and that accounts for my being here. That clause is the work of the Government draftsman.

(*The Witness is directed to withdraw.*)

(*Adjourned for a short time.*)

Mr. LORCAN G. SHERLOCK having been called in, is Examined, as follows :—

Chairman.

207. You are Secretary of the Irish Cattle Traders' and Stockowners' Association ?—I am, my Lord.

208. I believe that the Societies which you are Secretary to, have passed resolutions in support of the inclusion of Ireland in the scope of the Bill ? —Yes, my Lord.

209. And you have been in communication with the County Councils, have you not ?—I have.

210. May I ask you if you can produce any evidence as to their opinions ?—Yes. I have received in all in reply to circulars sent by me to the County Councils in Ireland, 15 resolutions from the County Councils in favour of including Ireland in the Bill. I have received no statement of opinion from any County Council in Ireland against inclusion. I received from the balance of the County Councils no replies. The Councils that have so far favoured the inclusion of Ireland in the Bill are the County Councils of Cavan, Kildare, Wexford, Carlow, Queen's County, Tyrone, North and South Ridings of Tipperary, Donegal, Antrim, Armagh, Londonderry, Westmeath, Dublin, Waterford and King's County.

211. All of those County Councils are in favour of the inclusion of Ireland in the Bill ?—In favour of including Ireland in the Bill, and the giving to the County Councils the discretionary power to grant licences to unregistered traders to deal in the sale of poisonous sheep-dips, and horticultural pest destroyers.

212. Can you give us generally the reasons which they bring forward for that ?—Yes, my Lord. The general feeling is that every facility ought to be given to the farmers of Ireland to obtain sheep-dips in order to prevent any development of a plague like sheep-scab, which they dread so much. The feeling in Ireland in agricultural circles is preponderatingly in favour of the use of poisonous sheep-dips, and there is also a knowledge that it is exceeedingly hard to obtain sheep-dips of a poisonous nature from chemists in certain districts, because the chemists are not there. I think that is proved by the fact that an enormous amount of the trade at the present time is carried on in absolute contravention of the law through traders not registered and not licensed—so much so that the Pharmaceutical Society have instituted prosecutions against some of the traders and have obtained convictions ; but the Executive in Ireland, recognising that breach of the law was essential for safety in agriculture, have as a matter of fact allowed off the penalties inflicted by the magistrates to such an extent as to bring about a protest from the Pharmaceutical Society of Ireland. On April 14th, 1906, a motion was moved by the then Vice-President of the Society that a deputation should wait on the Lord-Lieutenant and the Chief Secretary and present a memorial, pointing out the difficulties that the Council had experienced in carrying out the Acts, and requesting that in future fines imposed for the breaches of those Acts should not be remitted. That was unanimously agreed to, the feeling of the Pharmaceutical Society evidently being that the fines were invariably remitted.

213. The Agricultural Department of Ireland are strongly in favour of the inclusion of Ireland in the Bill, are they not ?—They are, my Lord.

Chairman—continued.

And not only that, but for two successive years, at the Annual Meeting of the Council of Agriculture, a Council representative of every County Council in Ireland and embracing a number of co-opted agricultural experts, resolutions, on the motion of Mr. William Field, M.P., the President of the Society of which I am Secretary, have been adopted unanimously in favour of the inclusion of Ireland in this Bill.

214. Unanimously ?—Unanimously.

Mr. *Idris.*

215. What is your position ? Are you connected with the industry in any way ?—I am the paid Secretary of the Irish Cattle Traders' and Stockowners' Association.

216. Are these farmers' organisations that you quoted as supporting the inclusion of Ireland in the Bill, instigated by the proprietors of proprietary poisons ?—Does your question refer to my Association ?

217. No, the whole of them ; because you quoted in support of your contention that Ireland should be included in the Bill the fact that requests or resolutions had been received from a large number of County Councils ?—These resolutions came from the County Councils.

218. And agricultural bodies ?—These resolutions came from the County Councils in response to requests sent by myself, acting upon instructions received from my Committee detailing for them as fairly as we had it the entire situation that at present exists. We interfered—that is to say, the Association that I represent interfered—because one of our members, Mr. Thomas B. Hibbetts, of Kilconnell, in the County of Galway, a large cattle-dealer and rearer, as well as a shop-keeper, had been prosecuted at the instigation of the Pharmaceutical Society, and fined for selling poisonous sheep-dips, which prosecution brought about protests from the two Urban District Councils and from the County Councils of Clare and Galway. I took some interest in the matter on behalf of my Association, and these resolutions are the outcome.

219. Are the members of your Association satisfied that the use of poisonous sheep-dips, instead of non-poisonous, is necessary ?—I have never heard, although I have asked a great many members, a single member of the Association advocate the use of non-poisonous sheep-dips, the general feeling being that for the relief and prevention of sheep-scab an arsenical dip is necessary.

220. You are aware that very much larger profits are made out of poisonous preparations than out of non-poisonous ?—I am not. I do not dispute it.

221. You said something about the Acts not being enforced. Do you think the discretion of the Pharmaceutical Society is exercised in those cases ?—I think that if this Act were passed, without including Ireland, there would be a vigorous agitation by the Pharmaceutical Society for the enforcement of the law that at present exists, with deputations to the Executive authority of the county to see that the fines were not allowed off on appeal. I think that the inaction of the Pharmaceutical Society with regard to not insisting on prosecutions for the last four years has been

due

Mr. *Idris*—continued.

due to a very clever idea on their part of keeping the agitation in the country as quiet as possible.

222. Are you aware that a large number of arsenical compounds and poisons, such as Paris Green, arsenate of lead, and so on, are used for horticultural and agricultural purposes, and that action has never been taken by the Pharmaceutical Society to bring them within the Act?—I am not. I would not deny the statement.

223. What towns can you instance without druggists in Ireland?—I am told that in the West of Ireland round County Cork, and in Leitrim down by Galway, and Clare side, there is difficulty.

224. Can you give me the name of a town?—That is what I am told.

Lord *Saltoun.*

225. Do you know that as a fact?—I do not know it myself, because I do not travel round the country.

Lord *Saltoun*—continued.

Mr. *Idris.*

226. You cannot give a single instance of a town without a druggist?—No, but I fancy you will get it before you have finished.

Mr. *Vincent Kennedy.*

227. Is it a fact or not that there are large areas of country where there are no registered chemists or druggists at all?—That is absolutely true.

Chairman.

228. Thank you.

(*The Witness is directed to withdraw.*)

Mr. JAMES B. PEARSON having been called in, is Examined, as follows:—

Chairman.

229. You are of the Linen Hall, Dublin, traveller and representative of Messrs. Hugh Moore and Alexander's, Limited, wholesale druggists?—Yes, my Lord.

230. You have had considerable experience of agricultural matters, have you not?—Yes, I have been over 25 years with the present firm.

231. The Committee would be glad to hear what difficulties there are in procuring sheep-dips in the areas mentioned by Mr. Sherlock?—The evidence that I purpose giving before this Committee has reference purely and simply to the West of Ireland, and no other part of it. That is the only part I am conversant with.

232. You limit it to that then?—Yes. First I would venture to put in a list of towns, if you would kindly accept it, over my journey, where sheep-dip is not available (*The same is handed to the Committee.*) I have also the mileage which you have to go to get the stuff. It may be of use to the Committee.

Lord *Saltoun.*

233. Do you give the mileage for the whole?—I can give you the mileage from a book I have here, if you think it is requisite.

Chairman.

234. Just mention one or two cases?—I commence with the first town that I do over the west journey, Moate, County Westmeath—the nearest point to get dip from that is 10 miles. Then, Ahascragh, Ballinasloe, is the nearest town—7 miles; Caltra, 10 miles from Ballinasloe; Castleblakeney, 12 miles from Ballinasloe; Glencar, 9 miles from Ballinasloe; Monaveen, 9 miles from Ballinasloe; Kilconnell, 6 miles from Ballinasloe; Ballymacward, 9 miles from Ballinasloe; Menlough, 10 miles from Ballinasloe.

Lord *Saltoun.*

235. They are all about the same?—Yes. I can go on—Moylough, 16 miles—just to skip some—Kilkerrin, 17 miles; Belmullet, 32 miles from the nearest point, Ballina; Bangor Erris, 26 miles from Ballina; Ballycroy, 24 miles.

236. I think that is enough?—Very well, my Lord.

Chairman.

237. You represent that there is no chemist within those distances, where they can obtain sheep-dip?—I am giving the mileage from the nearest point at which they can obtain it.

238. The nearest point at which there is a chemist?—Yes—for powdered dip.

239. The dipping is becoming more and more general, is it not?—Yes, it is absolutely necessary now.

240. By law?—By law—for the purpose of getting a permit for taking your sheep about.

241. Of course it is a very serious thing for a farmer if he cannot get dip within a very short time, if scab breaks out?—It is, my Lord. May I read to you one letter which I received yesterday morning about an occurrence which happened three years ago. It will just throw some light on the difficulties, and what follows afterwards. "26th March, 1908. Four years ago Laurence Conroy of Ballinasloe and myself were summoned before the Petty Sessions Court of Ballinasloe for selling sheep-dip under the Poisons Act. The Bench before which the case was heard, understanding the hard sketching of the Act, and the danger that would arise of the spread of sheep scab in the district, through the limitation of the sale of sheep-dip if they convicted, dismissed the case, but the Pharmaceutical Society on the following Court day, represented by their Solicitor, had the case brought up again. Their Solicitor argued the case, as within the Poisons Act, and pressed for a conviction. The Bench, thus coerced, had

Chairman—continued.

had no option but to convict, and Laurence Conroy of Ballinasloe and myself were fined £10 each. The anticipated fear of the Ballinasloe Bench of Magistrates was realised, and sheep scab broke out in my district to such an extent that the few that had clean sheep reported the outbreak to the police the following year"—taking the responsibility on themselves of reporting it. "I will only quote one conviction.—Thomas Kenny of Ballygloss, Kilconnell. Within my own knowledge there were many similar cases to Kenny's in this neighbourhood." Then he goes on "Small farmers owning from three to 30 or 40 sheep have not the time, nor will they take the trouble of travelling 10 or 12 miles to purchase sheep-dip from a chemist whose business is often more from these small sheep-owners in some district in this part of Ireland. Their system was to borrow a tub from the shopkeeper who sold the dip, bath their sheep, and then return it, or give it again to the next neighbour, who utilised it likewise." Then he criticises, "It is difficult to understand how the framers of the Poisons Act, but more easily to believe that they never contemplated bringing the sale of sheep-dip within its meshes (*sic.*). The small vendors were men of recognised character and intelligence, and had it conveniently at hand, and sold it to their business customers more for obligation than profit"—which is correct. The article is sold practically for 5 per cent. I need scarcely, I suppose, go over the ground that my predecessor did, by drawing attention to resolutions passed by the County Councils calling upon the Government to give greater facilities for procuring dip. One of the outcomes of the prosecution in the Ballinasloe district was the outbreak of scab in Longhrea and Ballinasloe. The sheep-dipping trade, within my knowledge of 25 years' experience, has always been in the hands of general traders. The reluctance the farmer has in going to chemists for this article arises from various causes. He gets credit from the shopkeeper. He keeps his accounts all under one ledger, and he does not have to go dividing up, and paying cash for the article that he can get on credit from the usual trader. Then we have another factor which I think is very important. Take our own firm. Out of 70 purchasing traders in the country with us who have to get large quantities—a gross and upwards, to get it carriage paid—simply two at the present time are legally entitled to vend it. The other 68 are vending it without a licence. There are not 3 per cent., although we have put it down at 3, of the vendors of powdered poison dips registered in the West of Ireland.

242. In fact, in the West of Ireland the law is absolutely habitually evaded, either by unlicensed men selling it, or else by the magistrates remitting fines?—By the Government closing their eyes at the present time to the vending of it, my Lord, because where fines have been inflicted they have been remitted.

243. Or else there is no prosecution?—Yes. There were two or three cases at the beginning where the fines were inflicted and collected, but when they began to see the difficulty of getting the poison, the fines were in all cases, I am told, remitted. There is one remark I want to make.

Chairman—continued.

Anyone knowing the geography of Ireland (and we are all supposed to know a little of it) will know the difficulty there is in obtaining the poison. You leave Ballinasloe and drive straight into Galway, going through 12 or 14 small towns without meeting one registered chemist or one chemist and druggist, or one pharmaceutical chemist.

Lord *Monk-Bretton.*

244. If this Bill is applied to Ireland, what public authority, do you think, should be the licensing authority?—My opinion the only public authority there could be would be the County Council.

245. Even in a borough which is in the limits of a County Council area?—Yes.

246. Therefore in every town in Ireland, except a County Borough Council town, the County Council would be the authority?—That would be my opinion for the reason that on the County Councils the representatives all meet. They would be coming from the different districts. The part that would be under consideration would be represented by one vote from that district, so that the vote of the County Council would arrange that.

247. What is the population of Sligo Town, say, over 10,000? In regard to Sligo, you think that the County Council of Sligo, and not the Borough Council of Sligo, should be the authority?—I think that that would be a matter of detail. Taking Sligo, or any other large place like it, I do not believe that there would be necessity at all for appointing, for the simple reason that they would have a pharmaceutical chemist. It is only a matter of detail, but I would be for falling in with the view of only having them where there was a difficulty in getting the poisons—not where there are pharmaceutical chemists.

Chairman.

248. That you would leave to the County Councils to decide?—I would leave that to the County Councils—the appointment. I do not see any other public body that could do it.

Lord *Stanley of Alderley.*

249. Not the decision?—No.

Mr. *Atherley-Jones.*

250. Supposing that all conditions as to safety were fulfilled by the applicant for a licence, would you still confine the granting of licences to those places in which there was no pharmaceutical chemist?—I think that in considering the application it should be taken into consideration, also, whether there was a difficulty or not in obtaining the poison, and if there was a difficulty, undoubtedly a vendor should be appointed. If there was no difficulty, it would be rather doubtful whether it would be right to do it or not.

251. Would you suggest that the Bill, the Act as it would be, should afford any guidance to the Council, as to under what circumstances they should act if difficulty existed or not?—I believe it should do so, undoubtedly.

252. What guidance would you suggest?—The guidance of want—necessity.

253. You

Mr. *Idris.*

253. You told us that the farmers will not take the time to go into the neighbouring towns to procure these things?—Time is of great moment in the case of sheep-dipping often.

254. How long has the notice to be given before the dipping is done?—For obtaining the dip?

255. You must give notice that you are going to dip?—You must give notice.

256. How many days have you for doing it, after you give notice?—I believe seven days. I am not conversant with that. I have not followed it up.

257. It gives them a week to go to the neighbouring town?—But it is not easy to leave the work you may be on to do that.

258. Yet you told us that they go into the neighbouring towns for these things because they obtain credit from the shopkeepers?—I said that that would be one of the causes, because they want to keep their accounts in one book.

259. Is not that evidence that they go into the neighbouring town for other requirements besides sheep-dip at least once a week?—I beg your pardon, you misunderstood me, I think. They get their own requirements in the town or village where they are, and they get the dip there also, and they need not go into any surrounding or neighbouring town for it.

260. They need not go into the towns, because there are dealers outside the towns?—Yes, in the villages; little villages have shopkeepers.

261. Who are not chemists?—Who are not chemists, but who handle it. It is well known.

262. With regard to handling it, is no difference made between poisonous and non-poisonous dips?—There is so little of the non-poisonous dips sold over the West of Ireland that it is a matter that would never enter into consideration. It is purely powder dips which they sell.

Mr. *Idris*—continued.

263. These powders are very much more easily made than the non-poisonous dips, are they not?—I presume so.

264. And very much more cheaply?—I could not answer that.

265. Is there a very much larger profit on the poisonous dips?—I could not tell you that. We are not manufacturers.

266. But are you not a representative of a firm that supplies these unregistered people with sheep-dips?—Yes, we all do. All wholesale druggists in Dublin do. We have nothing to do with ascertaining whether purchaser is licensed or not.

Lord *Stanley of Alderley.*

267. Do you understand from going about the country as traveller whether these dips which are sold irregularly by ordinary traders are sold at the same price or at a lower price than the chemist sells them at?—At a lower price. The proof of that is——.

268. I will take your answer. I do not want to take up time?—I wanted to illustrate.

269. That answer is enough for me. If you gave a monopoly to the chemists in the towns where they exist, people who had to deal in the towns would have to pay a higher price than the people who dealt in the villages with the unauthorised sellers?—That would be my impression.

(*The Witness is directed to withdraw.*)

Mr. R. M. SMITH having been called in, is Examined, as follows:—

Chairman.

270. You are from Dublin, and you are Secretary of the Irish Agricultural Wholesale Society?—Yes, my Lord.

271. That Society represents 90,000 farmers and traders in Ireland?—It is the trade centre of the co-operative agricultural movement in Ireland, which numbers about 90,000 members.

272. You have a somewhat intimate knowledge, I suppose, of the Agricultural Industry in Ireland?—Yes.

273. Are you of opinion that it would be a good thing for the farmers whom you represent if Ireland was included in the Bill?—Yes, my Lord.

274. You are of that opinion?—I am of that opinion.

275. May I ask your reasons for so thinking?—In view of the fact that the Department of Agriculture of Ireland has made sheep-dipping compulsory, it is necessary to make the sheep-dip easily procurable by the farmer. In the event of an outbreak of scab or an attack of maggot-fly, the ravages have to be arrested at once, and it is very necessary that the remedy should be immediately available and easily procurable by the farmer. At the present time farmers in many parts of Ireland have to travel up to 20 miles to the nearest chemist or registered druggist, the result being that a considerable trade is carried on illegally by unregistered traders in districts remote from the towns in which duly qualified men are to be found. I have a few resolutions passed by the Co-operative Societies in different parts of Ireland urging the claims of Ireland to the provisions of the Bill being extended to it, which I beg to submit, my Lord (*handing the same to the Committee*).

Chairman—continued.

Mr. *Godfrey Baring.*

276. Are those Societies formed of farmers?—Of farmers.

277. Are they confined to farmers?—They are confined to farmers. The burden of the Societies' resolutions is summed up in one sentence, namely, the inconvenience and expense caused by their members having to travel such long distances for articles which are absolutely necessary for the proper conduct of their business, and which are often required at short notice. The County Councils of Ireland can, I think, be trusted with discretionary powers to grant licences where they are considered necessary. In the event of the provisions of this Bill being extended to Ireland,

Mr. *Godfrey, Baring*—continued.

I would strongly recommend that where application for a licence has been refused by any County Council, the grounds for such refusal should be stated, and provision made for an appeal to some higher authority, say to the County Court Judge or a Judge of Assize. Further, to prevent any injustice to those whom the Bill is intended to benefit, namely, farmers, I would suggest that unregistered traders to whom it is proposed to grant licences should be interpreted to include Co-operative Societies registered under the Industrial and Provident Societies' Act of 1893, as these Societies are large purveyors of agricultural requisites all over the country, and are, as a rule, to be found in the heart of agricultural districts, far removed from both registered and unregistered traders. In my opinion, the inclusion of Ireland in the scope of the Bill is not only reasonable, but necessary for the interests of the farmers and traders in the country. I think that to exclude Ireland from the privileges proposed to be afforded to the other parts of the United Kingdom would result in the entire dislocation of the sheep-dip trade, would be disastrous to farmers and traders in the country, and would result in hundreds of prosecutions of traders who have for many years dealt in these and similar preparations required in agriculture. My Lord, I have resolutions here from various Societies all over the country. With your permission I will read one or two of them. I need not take up time with the whole lot.

Chairman.

278. Yes?—First of all, I will read the one from my own Society, passed by my Board on the 27th March, 1908: "Resolved: That this Society, which is the recognised Trading Federation of the Co-operative Agricultural Societies in Ireland, representing about 90,000 farmers, desires to place on record its strong protest against the exclusion of Ireland from the provisions of the Poisons Bill at present before Parliament. That this Society is probably in a better position than any other trading body to testify to the desirability, in the interest of agricultural progress, of removing all hindrances to the distribution of such articles of prime necessity to up-to-date agriculture. That our Manager is hereby directed to give evidence in support of this Resolution."

279. That is your own Society?—That is my own Board.

280. Representing 90,000 farmers?—Yes. There is one passed by the Propagandist Body of the movement. Their figures are 100,000.

Lord *Stanley of Alderley.*

281. What do you call "the movement"?—The Agricultural Co-operative Movement of Ireland. This is a Resolution from the Irish Agricultural Organisation Society, 22, Lincoln Place, Dublin: "That in the opinion of the Irish Agricultural Organisation Society, representing as it does over 900 Societies, embracing 100,000 farmers, it is of the utmost importance to the Irish Agricultural Industry that Ireland should be included in the scope of the Poisons Bill now before Parliament." The difference in the figures arises because our statistics are not so far up as the Propagandist Body figures.

Lord *Stanley of Alderley*—continued.

282. Those 100,000 are the same men as your 90,000?—Yes.

283. The 90,000 are included in those who passed that last Resolution?—Exactly. The Enniscorthy Co-operative Agricultural Society, Limited: "We the Committee of the Enniscorthy Co-operative Agricultural Society, which is engaged in supplying agricultural requirements to over 2,000 farmers, are strongly of opinion that the Poison and Pharmacy Bill now before the House of Commons should be extended to Ireland, the same as to England and Scotland, as it is most necessary that the utmost facilities should be given for the sale of sheep-dips and weed-killers in this country, and that it should not be confined to a few chemists."

284. The 2,000 are in your 90,000?—They are part of the 90,000.

285. It is not worth splitting the 90,000 into their different localities?—I want to prove that I am speaking for the 90,000, and that they are in favour of this. The distance that some farmers have to travel has been mentioned. Some have to travel 8 to 12 miles, and others up to 20 miles.

Chairman.

286. The Agricultural Department of Ireland have made it compulsory that they should use sheep-dip?—Yes.

287. Therefore these farmers must get it somewhere?—Yes.

288. And they get it from unlicensed persons now?—Yes.

289. What happens; are they not prosecuted and fined?—So far as the Societies which are affiliated to my Society are concerned, as it is against the law, they do not touch it at all. At the present time they cannot supply their members. I cannot speak for the other traders of the country.

290. You think there would be no difficulty in the farmers getting it from general traders if they were allowed to sell it?—Not if they were licensed.

Lord *Stanley of Alderley*

291. You know, as a fact, that there is a great deal of irregular trade?—I am aware of that.

Chairman.

292. Who would you propose that the licensing should rest with?—I think the County Council is a good body. They have the local knowledge, and if you have some provision made for appeal and provision for preventing a monopoly in any particular district by appointing instead of only one licensed trader, say, two—perhaps two would give sufficient competition to keep prices down to a reasonable figure.

Lord *Monk-Bretton.*

293. What do you mean by provision for appeal—appeal to whom?—I suggested in what I previously stated that appeal should be made to some higher authority, say, a County Court Judge or a Judge of Assize.

294. From a County Council?—Yes.

Lord *Monk-Bretton*—continued.

295. Have you any reason to suspect the County Councils in this matter of licensing?—I represent the Co-operative Movement, and in some parts the interests of the private trader clash with the interests of the co-operative trader, and that is why I am anxious to recommend a clause, where if a licence is refused, appeal can be made to some higher authority.

296. How about the small Borough Council?—I cannot speak as to that. I do not know the constitution of these Borough Councils in the country, and I cannot speak with regard to them.

297. Because, in practice, it appears to me that it would be more the Borough Council than the County Council, because your licences would be given in a county town, and that would be in the sphere of the Borough Council of small towns?—Are not the two Councils both separate and distinct?

298. No. They are not in England?—Are they not?

Lord *Stanley of Alderley.*

299. You contemplate licences being given in villages, do you not?—Yes.

300. Up and down, right through the country, so that the poisons would be within reach of all?—Yes. These Agricultural Societies are very often to be found in villages.

Mr. *Atherley-Jones.*

301. You think it desirable that there should be competition in the sale of these dips?—Yes.

302. Supposing in a small town, like Sligo, there was a pharmaceutical chemist, you would still be disposed to grant a licence to any person?—Yes, that is my opinion. I do not think that one would be sufficient to cater for the needs, and it is too much to expect a man to sell certain things and at the same time not try to make as much out of them as he possibly can. He has that temptation.

Lord *Saltoun.*

303. You want to include your own Company as traders?—No. There are 900 Co-operative Agricultural Societies in the country, catering directly for the farmers' requirements.

304. There are now?—Yes.

305. Are they selling these things now?—No, they are not selling poisonous dips at the present time; but they are selling all kinds of manures, feeding stuff and everything the farmer wants.

306. Your Society is the trade centre?—Yes.

Sir *John Batty Tuke.*

307. Who would you license in the case of the Co-operative Society?—These Societies are registered under the Industrial and Provident Societies Act as a corporate body, and I would suggest that they should be licensed as such.

308. Who would be responsible?—The Secretary under the law should be the figure-head perhaps.

Lord *Saltoun.*

309. You would become traders in these things?—At the present time we are traders in a great many things.

Lord *Stanley of Alderley.*

310. You contemplate that the various Co-operative Societies in Ireland who buy collectively and distribute, should have the power to buy sheep-dips in the same way and distribute them?—Yes, for their members.

311. In fact, they should have the same right of distribution for those as for other things?—Yes.

Lord *Monk-Bretton.*

312. And do you contemplate only one licence in respect of all the sales? The Secretary, you contemplate, should be licensed?—Yes, as being the Secretary of the particular Society.

Lord *Stanley of Alderley.*

313. The Federation of Societies is only a Federation for the various purposes of the Societies, but the individual Society would be the holder of the licence?—Yes.

314. The Federation sell, or rather, strictly speaking, they only distribute?—Yes, that is what they do.

315. The Federation which you represent are the agents of the individual farmers for the purchase?—Yes.

Mr. *Idris.*

316. The Society would have the responsibility for damages and death and loss?—They would have the same legal obligations as a private trader or private chemist.

Lord *Stanley of Alderley.*

317. Have you any idea what the amount of money approximately, within a few thousand pounds, is that is spent a year in Ireland in buying these dips?—No.

318. Have you ever heard any estimate?—I cannot give you an estimate.

319. Is it a large amount?—I believe it is.

320. What is the turnover of your Societies with regard to the various things which they supply to farmers?—Close on one and a half millions pounds, if you take the sales of produce and purchase of agricultural requirements as well.

321. Do you sell for farmers as well as to them?—We have a different Federation for the sale of produce.

322. What is the aggregate purchases made through the various societies which are federated with you by the farmers. What is their turnover of sales to farmers?—It is very hard for me to give you an estimate.

323. Within £100,000, could you give it?—It is very hard to give an estimate, but I believe it is well up to between £300,000 and £400,000. We have not the means of getting all the trade done by the various local societies. A certain amount of it goes into various channels of which we have no statistics.

Lord *Stanley of Alderley*—continued.

324. You do not collect statistics of them all ?—The propagandist body has them.

325. It runs into hundreds of thousands ?—Yes.

326. These sheep-dips would be a considerable item if you dealt in them ?—Yes.

327. You would be able to sell them to the farmer cheaper than the chemist or the private trader ?—Yes.

328. You give your members the whole benefit. You only charge a small commission for administration, and the whole profit goes to the farmer ?—Yes, it goes back to the farmer.

Mr. *Idris.*

329. Is there any difficulty in obtaining the dips now ?—We do not touch them at all now, because we should break the law.

330. You spoke of the users experiencing difficulty in obtaining them ?—The resolutions submitted all speak of great difficulty.

331. You said just now that these unlicensed people commonly trade in them, and it would be disastrous to stop the present method of distribution through these unlicensed traders ?—So I have been informed by resolutions passed by local farmers.

332. Have you personally reason to believe the Pharmaceutical Society would not exercise the same discretion after the passing of this Bill, with the non-inclusion of Ireland in the Bill, as they have done in the past ?—I think that there would be numberless prosecutions if Ireland was excluded.

333. Have not these prosecutions been initiated by higher authority where accidents have occurred and Coroners' Juries have made representations ?—I cannot speak as to that.

334. Do you think there is any difficulty in fixing the prices at which these things should be sold if everybody had to apply for a licence who is at the present selling them ?—Prices would regulate themselves. Manufacturers fix certain prices. With a certain amount of competition, the traders would have to fix their price, reserving a reasonable profit, or they could not compete.

335. A fixed price would not be objectionable if fixed by some authority if it was a fair price ?—I think that will work itself out.

336. You have no objection to that. With regard to the County Councils that you suggest as the authorities, are they not largely made up in Ireland of shopkeepers interested in trading of this kind ?—Yes, I believe they are largely made up of traders.

337. Would you propose that these things should be stored and sold on the same premises as food ?—Yes. I do not see any objection. A chemist, for instance, sells such delicacies as infants' food at the same counter as you get poisons, I daresay.

Mr. *Idris*—continued.

338. Yes, but you must remember that the chemist is a skilled man, an educated man, trained to the business. You propose to give the licences to people who are totally unacquainted with the results of these poisons or recommending antidotes ?—As a matter of fact, there are a number of registered druggists in Ireland who have not passed examinations and who are not what you would call qualified men, who have power to sell the poisons.

Chairman.

339. You are in favour of all poisons being labelled "Poison" ?—Yes. Every precaution should be taken, so that nobody could mistake a package of poison for what it really was not.

Mr. *Idris.*

340. Do you know, as a fact, that cornflour and some arsenical dips are sent out in very similar wrappers in the same shaped packages. You would not allow that, would you ?—No, certainly not.

Lord *Saltoun.*

341. Why do you want an appeal to a Judge ?—I merely make that suggestion. Any other impartial authority would do.

342. Would you mind having no appeal ?—I am very strong on the question of appeal.

Lord *Monk-Bretton.*

343. Why do you attach so much importance to the appeal ?—The interest I represent, that is the Co-operative Societies in Ireland, have the majority of farmers in connection with the movement. If the County Council, which is composed largely of traders, refused the application of a local society, as I explained before, that society should have the grounds for the refusal stated, and should have power to appeal to some impartial authority, such as I have indicated.

Lord *Stanley of Alderley.*

344. You want appeal from refusal ?—Yes.

345. Not from the granting of the licence ?—No.

Lord *Saltoun.*

346. You do not trust the County Councils ?—I have no grounds to say that they would not issue them properly.

(*The Witness is directed to withdraw.*)

Die Jovis, 2° Aprilis 1908.

MEMBERS PRESENT:

Lord Saltoun.
Lord Stanley of Alderley.
Lord Monk-Bretton.
Lord Haversham.
Mr. Atherley-Jones.
Mr. Godfrey Baring.
Mr. Idris.
Mr. Vincent Kennedy.
Sir John Batty Tuke.

THE LORD HAVERSHAM IN THE CHAIR.

Mr. W. F. WELLS, PH.C., is called in, and Examined as follows:—

Chairman.

347. You are, or have been, the President of the Pharmaceutical Society for Ireland, have you not?—I have, my Lord, twice been president.

348. That Society was established and incorporated by the Pharmacy Act of 1875, was it not?—Yes.

349. I suppose that its objects are very much the same as the objects of the Pharmaceutical Society of England?—Practically the same.

350. And those consist of the examination of persons for registry, the actual registration of them, and the promotion of chemistry?—Yes.

351. You also undertake the duty, I presume, of prosecuting persons who illegally exercise the sale of poisons?—We have to do it. We do not care about the work, but the police refuse to do the work unless we bear the expense. They report to us and then we consider the case.

Mr. *Godfrey Baring.*

352. You do undertake prosecutions, as a matter of fact?—We undertake prosecutions. The police report to us. If it is a good and proper case we recommend them to take proceedings. We pay all expenses.

Chairman.

353. By the Act of 1875 it was made unlawful for any other persons but those registered as pharmaceutical chemists to sell, dispense, or compound poisons under a penalty of five pounds?—It made it illegal for anybody but a pharmaceutical chemist. I draw a distinction there, as I will point out later on to you.

354. The Registrar is bound to publish the list of pharmaceutical chemists, is he not?—Yes, every year. *That* is a copy of it (*handing the same to the Committee*).

355. And, again, nobody except the registered chemist can assume the title of Chemist and Druggist?—Unfortunately limited companies are now assuming it or have assumed it. Very often a shopkeeper who has been prosecuted will immediately form a small company. I know of one case where, with £50 capital, a leather merchant is carrying on a Medical Hall, a Pharmacy, under the guise of a limited company.

Chairman—continued.

Lord *Monk-Bretton.*

356. Legally?—We cannot stop him. The law, as settled at present, is that a limited company can trade. It is ruled that it is outside of the Act altogether, so that we have no control over it.

Chairman.

357. Are you aware that the sale of poisons, such as sheep-dip, for agricultural and horticultural purposes, has largely increased?—Not at all to the extent that you are led to believe. I can go back as far as 1864. I personally prepared large quantities of sheep-washes. It was not dipping so much in those days. It was hand-dressing. I prepared thousands and thousands of gallons of that stuff from 1864 on, and if you go back as far as 1848 there was a book published on Veterinary Medicine. Youatt is the name of the publisher. They state in that that arsenic is used for veterinary purposes, but that it is such a very dangerous preparation to use and there are many other better ones not so dangerous, that its use should be discouraged.

Lord *Stanley of Alderley.*

358. That was in 1848?—That was in 1848. I take that from a book.

Chairman.

359. But you are aware that the Board of Agriculture in Ireland has made the use of sheep-dip compulsory?—Yes, my Lord, but there are more dips used, I believe, that are so-called non-poisonous, and the Board of Agriculture themselves,

Chairman—continued.

selves, in the first list which they issued to the farmers under the Act, gave three dips, and none of these dips contained arsenic. I may draw your attention to the fact that the Departmental Committee on Sheep-Dipping—of course you are familiar with that—on the report of which this compulsory dipping has arisen, in giving their report, which is very voluminous, refer in several instances to where arsenic has been found to be very dangerous. One of the gentlemen giving evidence was a wool merchant from Bradford. If you have the book, my Lord, it is Question 1589.

Lord *Stanley of Alderley.*

360. It was put in cross-examination the day before yesterday?—Yes. I go further than that. In other parts of the evidence (you will find it mentioned in this book) they gave cases of poisoning from stockings that were worn, from which the arsenic had never been washed, and there are many cases mentioned where arsenic in that way has done serious injury.

Chairman.

361. But arsenic is certainly used in sheep-dips?—It is very largely used. A great many sheep farmers at the present day refuse to use arsenic.

362. That may be, but there is a great deal of arsenical sheep-dip used?—Yes.

Lord *Stanley of Alderley.*

363. That goes rather to whether arsenic should be used at all, and not to the question whether one person or another should be allowed to sell it?—I would not go that far, but I would go as far as this, and this is the whole point of my argument: At present it is stated that you cannot get dips to stop scab in Ireland, because there is a restriction on the sale of arsenic. The Agricultural Board say, apparently from the fact that the first three dips published were non-arsenical, that you can cure scab without an arsenical dip.

Lord *Saltoun.*

363A. I think you are rather inferring that. I do not think they say that?—I can give you the evidence of it.

Chairman.

364. We cannot go into that. What the farmers do is the question, not what they ought to do?—No, but I think this is a very serious matter for the public, and if sheep can be safely dipped without the use of arsenic in certain places it shows that there is no occasion to extend this Act.

365. I want to ask you a question with reference to the number of chemists in Ireland, particularly in the west, where sheep-dip can be obtained?—If your Lordship will mention any county or any town, I will tell you how many chemists.

Lord *Stanley of Alderley.*

366. Take the county of Sligo?—We have in Sligo seven qualified persons.

367. Would you name the places?—In Ballymote we have one chemist. When I say chemists, we have three grades of qualified people. I should say, perhaps, more correctly that we have a registered person in the town who has passed an examination. We have one in Ballymote, we have five in Sligo, and we have one in Tubbercurry. The population in Ballymote and Tubbercurry is under a thousand in each; Sligo is 10,870, and we have five qualified persons there. There are only 66,620 sheep in that district.

Lord *Stanley of Alderley*—continued.

368. In the whole of the county of Sligo?—In the whole of the county of Sligo.

Chairman.

369. There are five chemists?—Seven registered persons.

Lord *Stanley of Alderley.*

370. In three places?—In three places.

Chairman.

371. Mr. Sherlock says, and are you prepared to contravene the statement, that in the West of Ireland there are large areas of country where there are no pharmaceutical chemists?—Can you give me the district, my Lord?

372. He says: "the West of Ireland"?—That is very indefinite. I could not possibly say, but I could give the number in any town, or any county.

Lord *Monk-Bretton.*

373. This is a statement which was made in Parliament—that there are 1,300 in Ireland, out of whom 453 reside in six county boroughs. How many are there in Connaught altogether—62?—We have 60 (?) in Connaught, and I might remind your Lordship that although County Galway seems a very big place, one-half of it is waste land—one-third of it is water.

Lord *Saltoun.*

374. Half of it being waste land—Do you mean heather?—Not even heather. I am informed that on one-half of it you could not feed sheep.

375. You do not know that?—I have taken it from statistics in Government Returns.

Lord *Stanley of Alderley.*

376. Do you say that a third of the county is water?—Yes, I do. This is taken from the Government records—Area, so many thousand acres—rather more than a third being water. About one-half of the total is pasture land.

377. That is a different thing from waste land?—These are Government Returns.

Lord *Saltoun.*

378. How much is waste?—I am told by people who know, that at least half of the county is of no use for feeding sheep.

379. But it is described in the official document as pasture?—One-half is pasture, but the other half, I say, is no use for grazing.

Lord *Stanley of Alderley.*

380. Is there no cultivated land—half pasture, half waste, and one-third water. I do not see how you make out two halves and a third?—I said one-half of it was waste land, which includes the

Lord *Stanley of Alderley*—continued.

the one-third water—of the whole. That is taken from published statistics.

Mr. *Godfrey Baring.*

381. Do you say there are no sheep there at all?—No, I would not say that.

382. How many chemists are there in Galway?—There are 16 qualified persons in Galway County.

Lord *Stanley of Alderley.*

383. In how many places?—In twelve places.

384. And Galway is about 2,000 square miles?—It is 84 miles (greatest length) by 62 (greatest breadth). The sheep are 597,087.

Lord *Saltoun.*

385. What distances have farmers to go to these chemists for their dip?—My friend, Mr. Watson, will produce a map, which, I think, will show you pretty clearly about those; but in reference to this matter, I would say that every farmer has to go to the nearest market town with his produce, and when he goes to the market town he has no difficulty in getting his wants.

Lord *Stanley of Alderley.*

386. What chemists have you in Connemara?—What particular part, my Lord?

387. You are an Irish witness; do not you know?—I cannot tell you unless you give me the place.

388. Read the places, and we will see if we know. We are on Galway?—I do not exactly know which you mean.

389. Connemara is part of Galway?—It is very hard to define.

390. Read the places where there are chemists?—We have the counties and towns. Athy has three chemists; Celbridge, one; Kilcock, one; Kilcullen, one; Kildare, two.

Lord *Saltoun.*

391. That is not Galway?—You asked for Kildare, did you not?

Lord *Stanley of Alderley.*

392. No; we asked for Galway?—I beg your pardon. County Galway: Aughrim, one; Ballinasloe, three; Ballygar, one; Dunmore, one; Galway, three; Headford, two; Killimor, one; Loughrea, one; Portumna, one; Roundstone, one; Tuam, one.

Sir *John Batty Tuke.*

393. Now, take Kerry?—We have in County Kerry 11 qualified persons.

Chairman.

394. In the whole county?—In the whole county.

Lord *Stanley of Alderley.*

395. In how many places?—In six places. There are 118,000 sheep there.

396. Can you give us the places in Kerry?—Certainly; in Cahirciveen there are now two; Castleisland, one; Killarney, two; Killorglin, one; Listowel, three; and Tralee, three; that will make twelve in that county. One has come lately to Cahirciveen, so that makes two there.

Chairman.

397. That is in County Kerry?—Yes, my Lord.

398. Do you dispute this statement of Mr. Sherlock—that in Leitrim it is possible to journey 18 to 20 miles in almost any direction without finding a qualified chemist?—I do not think that is so. I may be able to show that to you on the map later on. In Leitrim we have seven qualified persons in six places, and there are only 14,000 odd sheep in the whole district.

399. How many chemists?—Seven chemists in six towns and 14,904 sheep.

400. Did you read the evidence of Mr. Russell?—I heard it, my Lord, here.

401. Do you dispute this—"There are certain areas, particularly in the north-west, south and south-west of Ireland in which there are few, if any, persons entitled under the existing Pharmacy Act to sell either poisonous dips or weed-killers?—I know that in that particular district, which is a very mountainous district all round the coast, there are not many qualified persons, because a man could not live there, but I can also tell you what the Inspector of the Agricultural Department says. You have it in this book *here*. Their Inspector says (this is in 1903, at which time there was no compulsory dipping) that he covers the whole district from Londonderry to Skibbereen. This is on page 121, Question 4381, of the Sheep Dipping Committee.

402. Who was the Witness?—This is Mr. Porter, one of the Inspectors of the Agricultural Department. He states that he, at that time, though the Compulsory Dipping Order was not in existence, on behalf of the Board, was travelling a great part of that country. In fact he said: "If you draw a line from Londonderry to Skibbereen the bulk of the land on the west of that comes within our province." He said at that time he had 27 dipping apparatus. That was in 1903. This is a thing that touches the matter more closely. The Committee was held in 1902-03.

Mr. *Godfrey Baring.*

403. Those figures were given before dipping became compulsory?—Yes.

404. Therefore dipping has largely increased since these figures were given?—Yes, but I can answer that by telling you this: one of the speakers mentioned the other day the difficulty of Armagh. I think that was the place that he spoke of. It so happens that in Armagh there are not a very large number of sheep, but the Agricultural Board have done there what they are doing in a large number of places throughout Ireland—they are appointing farmers in a district to do the dipping for the people all round. Armagh has four farmers in four quarters of it. Each farmer has a policeman under him. That policeman's duty is to find out the sheep for dipping. This gentleman gets paid so much a head for every sheep he dips, and he takes very good care that there are no sheep left undipped in

Mr. *Godfrey Baring*—continued.

in his district, and I say that is being done very largely all over Ireland.

Chairman.

405. This is a particular county in Ireland. We are not concerned with that. It might be totally different in the other parts?—No, my Lord, because under this new regulation the County Councils of each district can start dipping apparatus for their district.

Lord *Stanley of Alderley.*

406. What has this to do with it?—It has this to say to it: The dipping man I speak of dips for the small man who could not afford to buy dipping apparatus for himself. He comes round to dip the sheep.

Chairman.

407. The Council of Agriculture, which is representative of the agricultural interests of Ireland, have more than once passed a strong resolution in favour of the extension of the Bill to Ireland. You do not dispute that?—I do not know anything about that, but I could give some very strong evidence as to how these recommendations come to Committees.

408. I do not ask that?—That is a very important factor.

409. Such resolutions have been passed. Are you aware that 15 County Councils in Ireland have petitioned in favour of the extension of the Bill to Ireland?—I am. I took it from Mr. Sherlock, but there are 32 Councils, so that half of them have not replied.

410. Not one of them has passed a resolution against it?—No. Armagh has passed a resolution in favour. They have four professional dippers, as I have told you. I can tell you that the Dublin Corporation think it is necessary to have more facilities in Dublin for sheep dipping, where we have 97 chemists. So much for their resolution.

Mr. *Idris.*

411. I should like to know whether, in your opinion, arsenic was as much used 50 or 60 years ago as it is now?—I know from personal experience, from 1864, that arsenic was largely used in those days, and to prove that I would draw your Lordship's attention to the Poisons Act which was passed in 1851. In that Act it said that when poisons are required for other than agricultural purposes they need not be coloured and so forth. There are certain restrictions.

Lord *Saltoun.*

412. You were asked that. That is nothing to do with it?—I state it to show that in those days arsenic was used and largely used.

413. We know that. We do not want it?—In the Act it says the purposes for which the arsenic is required. Steeping wheat was one of the purposes for which it was used.

414. All that we do not want?—It shows that arsenic was largely used.

Mr. *Idris.*

415. I assume that, because Ireland was not in any way represented in Sir Robert Maxwell's Committee and you do not wish Ireland to be brought within the limitations, you claim to put the whole facts of the case which will enable us or anybody to come to a judgment as to whether it is necessary in the interests of the public?—We have not been heard at all with reference to this matter. There was the inquiry, the report of which you have in your hand. That was for Great Britain, and I draw special attention to that fact.

Chairman.

416. I beg your pardon; Ireland has been represented?—Excuse me, my Lord, Ireland was not included in Sir Herbert Maxwell's Committee.

417. Mr. Russell gave evidence the other day?—That is hardly evidence. He did not produce a single farmer. This Bill is founded on this report that you have before you.

Lord *Saltoun.*

418. We cannot argue with you, and you have no business to argue with the Committee. You have only to answer the questions which are asked you. If you confine yourself to that we shall get along?—I will do so, but it is hardly a fair hearing.

419. We do not want any of your argument?—All right.

Mr. *Idris.*

420. You told us that in your early days you were engaged in making sheep washes?—I say I have made thousands of gallons of them.

421. I have the same experience. I should like to read from the "Pharmaceutical Journal" of 1852 some statements, and I want you to tell me whether they are correct or not. It is said *here*: "During the investigation which preceded the passing of the Sale of Arsenic Regulation Act in 1851 a mass of evidence was collected respecting the extensive use of arsenic and arsenical compounds for agricultural purposes, and in the framing of that measure care was taken not to interfere with the legitimate use of arsenic for such purposes, of which one of the most important is the dressing of sheep?"—I am aware of that from hearsay and from my own practice afterwards from 1864.

422. There are many other passages like that I could read from reports of litigation and editorials of that date, so it is clear that then arsenic was used to a much larger extent than even now?—Farmers had more faith in it then than now. They did not know the non-poisonous dips to the same extent. It was so much used and so much abused that the Government thought it necessary to pass a Special Act of Parliament in 1851 to regulate the sale of it. The preamble of the Act says that it was to prevent arsenic being used for criminal purpose.

423. It is stated here that the farmers had much faith in arsenic, "Unless it contained arsenic or some ingredient equally potent they would have no faith in its efficacy. Whether it be right for an agent of this nature to be trusted in the hands of farming men is a question which we are not now discussing. The question before us is whether the chemist who sells it ought to be held responsible for the consequences of its application." That is

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Mr. *Idris*—continued.

page 292 of the "Pharmaceutical Journal" of 1852. There is a statement that one man dipped between 4,000 and 5,000 sheep with Bigg's composition, which is an arsenical composition. Then in an editorial it is stated: "So strong is the prejudice of the farmers in favour of arsenic, that it would be difficult to persuade them to depart from their regular habit; but after the numerous accidents which have occurred it would be wise to make the effort. Arsenic was at one time believed to be the only effectual preventative against the smut in wheat. Sulphate of copper has been found to answer quite as well, although many farmers are still wedded to arsenic." That was the state of things in those days. That agrees with your own experience?—From 1864 on I can speak, and that was my experience.

424. As to the origin of this agitation, are you aware that it is got up by advertisements and representations made, not by you as chemists, but by manufacturers of these poisonous dips?—I am perfectly convinced of it; I could prove it perfectly. It all comes from manufacturers. You had it in evidence here before you on Tuesday by a representative of the Agricultural Department, who said that the agitation was all to be traced——.

Chairman.

425. But I want your evidence, not what someone else said?—My evidence is this, that I am convinced that this whole thing can be traced to the manufacturers of these poisonous dips, and I can prove it by evidence.

Mr. *Idris.*

426. And largely by manufacturers who have not now chemists as agents. The chemist may sell one particular preparation, but the manufacturers are anxious that every shopkeeper in Ireland should become agents for the kind of dip manufactured by them?—That is so. One maker alone claims to have in Ireland at the present time 309 unregistered persons selling his dip. The police, however, I may say contradict a good deal of that. The Inspector-General reported to us that he did not believe anything of the sort.

427. Is it a fact that in the result a much larger number of wholesale manufacturers have gone in for making these poisons?—A very much larger number. I think there are about 35 now on the agricultural list. They recognise dips when submitted to them.

428. Arsenic, being a very cheap substance and a tasteless poison, is the most profitable thing they can use for making them?—It is a very cheap preparation.

429. So cheap and profitable that they can afford to advertise it and send travellers round, and when they find other manufacturers in possession of the chemist's agency they go to the seedsman or anybody else, and thus increase the sale of poisons?—I know it is so.

430. These manufacturers send out a very large number of travellers in the counties?—They do.

431. And where they have not been able to get a chemist as an agent, they have gone to other persons than qualified chemists and guaranteed them against prosecution by the Pharmaceutical Society?—A chemist will sell any dip he is asked for. They come to a man not selling any other dip and he sells their particular dip. I have it from the police authorities that they guarantee that in the event of their being prosecuted they will pay all the expense.

Mr. *Idris*—continued.

432. So you are quite satisfied that this is an agitation got up by manufacturers of these poisons who prefer to sell their profitable poisonous dips to non-poisonous ones, and consequently want agents who are not qualified and that they do not do it for the convenience of the farmers?—Quite so; it is for their own interest and nothing else.

Lord *Stanley of Alderley.*

433. You have given us some very startling statistics, and I would like to ask you to take the census of Ireland in your hand (*handing a book to the Witness*). If you look there you will see the census of Connaught. You said that Connaught was one-third water?—I see Connaught.

434. Will you take it from me—you may add up the figures if you like—that that census shows that the acreage of Connaught in land is 4,184,000 acres and the acreage in water is 188,000?—The figures I have given to you are taken from public statistics.

435. It would be better if you gave us evidence of actual knowledge?—I could not measure the water.

436. But do you still stick to the statement that a third of Connaught is water?—I believe so, from the statement I have seen.

437. Although you have seen the census figures you wish to stick to that?—I think so. What is the age of this book?

438. 1901?—1902.

439. The water has not shifted in the last few years?—There is a good deal more water in Ireland to-day than there was 50 years ago.

440. You said also that, of the land in Connaught, half was waste?—Yes.

441. Look at those census figures. You see that they give there, if you like to add up the figures, about 2,700,000 acres of pasture. Take the two first columns. You spoke of Connaught as a whole?—Yes.

442. 2,700,000 acres of pasture and cultivated land. If you add for woods, plantations, turf, marsh and mountain, they give you 1,299,000; that is, less than a third of the whole. So the cultivated land is two to one?—What about the water?

443. Do you count that twice over?—I want to know if you dilute it with the water?

444. You still wish us to believe your figures?—I believe the figures are correct.

445. I do not ask what you believe; but do you wish us to believe them?—You may do as you like.

446. We are testing the value of your evidence?—Exactly.

Lord *Saltoun.*

447. Now I should just like to ask you this: You say that arsenic was more used 50 years ago than now?—No, I did not say that. I said it was very, very largely used.

448. It was suggested to you by Mr. Idris, and you agreed with him?—No; I agreed with him

Lord *Saltoun*—continued.

him that in my early days it was very largely used. It has been stated as if it was quite a new thing to use arsenic.

449. Do you agree with Mr. Middleton, who, when he was asked this question by Mr. Idris, "Do you agree that there has been a great increase in recent years in the use of poisons for horticultural and agricultural purposes?" says "Yes"?—I could not go as far as that. I know that at the present time so-called non-poisonous dips are being largely used; and I know farmers who would not allow arsenic in their places. At one time I supplied from my father's shop from Dublin to Galway, and all round the west, where there were most important farmers, with these things.

450. Do you say that arsenical sheep-dips are not much used by farmers?—I say that a great many of them will not allow them on their premises, and the Report, I say, shows that the overwhelming majority of dips are non-arsenical.

451. Do you say that the majority of those being used now are non-arsenical?—I believe the tendency to-day is to use the non-arsenical dips, because, according to the Report, they are shown to be better and safer.

452. Is that because there is a great deal of difficulty in getting the arsenical dips?—Not at all; many people sell more non-poisonous dips.

Lord *Monk-Bretton.*

453. Which are the cheap?—The creasilic dips would come cheaper to the farmer than the arsenical. The so-called non-poisonous, the creasilic dips, although they are called non-poisonous, are poisonous. They are not scheduled as poisons.

Lord *Saltoun.*

454. You say that the non-poisonous sheep-dip is better, from an agricultural point of view, than the poisonous sheep-dip?—I say that in this Report on Agriculture——

455. I want to know what you say yourself?—I am not putting what I say myself; I cannot speak from experience. I say what I have in black and white.

456. You come here as an Irishman and as a chemist, and I want your experience?—From what I know of the sale of them, I know that a great many farmers prefer to use the so-called non-poisonous dips, because they consider them safer and better.

457. You sell both non-poisonous and poisonous dips?—Not at the present time.

458. But you have done?—I did for 19 years; but for 26 years I have sold no dips.

Chairman.

459. You do not say the majority of the farmers use non-poisonous dips?—I say a very large number. I could not possibly give you figures, because that would mean statistics; but I have evidence from those who are using them, all the same.

Mr. *Vincent Kennedy.*

460. Will you tell me, for the information of the Committee, if this Act is to apply to Scotland, what good reason you can give why it should not also apply to Ireland?—I can give you a very good reason. Would you allow me to explain that we have a grade of shopkeepers in Ireland that they have not in Great Britain. That is our strong point, if I might explain it to you in a moment or two. It is a very important thing.

Mr. *Vincent Kennedy*—continued.

461. I do not think that is a satisfactory answer at all. I want to know whether you can give any reason why Ireland should not be treated similarly to Scotland?—My answer is this: In 1890 a similar agitation arose in Ireland to what is now taking place in Great Britain—that there were not facilities for the purchase of agricultural poisons in Ireland. There was a special Act of Parliament passed instituting a grade of registered sellers of poisons for Ireland, who are not compounders of medical prescriptions. Of these men we have over 700 scattered in the little places in Ireland, and we say that we have the grade of men exactly that you want now; but our men are examined men. Your proposition is to give unqualified men, or unexamined men, the same privileges. These men are not compounders of prescriptions—I want you to see that—but they are examined men specially for selling sheep-dips and the like scattered all over the country.

Lord *Stanley of Alderley.*

462. Are they included in the figures you gave of the different counties?—They are all included in them. I may say that we have over 1,500 qualified persons.

463. Authorised persons?—Not authorised, but qualified.

Mr. *Vincent Kennedy.*

464. You said you had a registered chemist at Roundstone?—Yes.

465. The Member for the division is in the room, and wishes me to inquire from you exactly the name of the gentleman in Connemara. What is the name of the person you refer to?—I have not the name in my book, but I know there is one. I will produce the name. If I cannot, I am wrong.

466. In answer to Lord Lawrence, on Tuesday, Mr. Russell said that a deputation waited upon him, and that you stated distinctly that you would be satisfied if they could be certain—that is the Pharmaceutical Chemists—that unqualified men would not be planted down in the districts or towns where qualified men already exist. Have you any comment to make upon that?—I have. I say that such a thing is not really true. We went to Mr. Russell. He received us. We talked the matter over, and he told us he was determined to add Ireland to this Bill. He had been four days in office at this time. We discussed the matter with him and he told us he was determined that Ireland should go in. We then talked about it interfering with the qualified men, and he said that he would be agreeable not to put one of these sellers in a district where there was a qualified man, and we said that we would be with him in that, but we certainly never meant to imply, nor do I believe we did imply, that we would give way

Mr. *Vincent Kennedy*—continued.

if that was done. So that Mr. Russell, in his statement, certainly does not convey what I believe to be the fact.

Mr. *Godfrey Baring.*

467. You mentioned just now, I think, that the first three sheep-dips recommended by the Agricultural Department in Ireland were of a non-poisonous nature?—Yes.

468. Are you aware that those sheep-dips were put first in the list because of the well-known difficulty of getting arsenical or poisonous dips?—I know for a fact that they were put in because they are stated to be the very best dips you could have, and that they would cure scab, as well as anything possibly could; and I know that some of their own inspectors are opposed to the use of arsenic.

Chairman.

469. You do not answer the question?—I believe they were put in simply because they considered them the best dips.

Mr. *Godfrey Baring.*

470. Not because of the difficulty in obtaining arsenical dips?—I do not believe there is any difficulty in obtaining arsenical dips.

471. Do you not?—Not a bit of difficulty.

472. Would you say that there is no difficulty, even in the West of Ireland, in obtaining arsenical dips?—Every farmer must go to the market town. If he has stock to sell he must go to the market town. He cannot get a living without, and in all those towns we have qualified men. We would not have a man in a little place of 50 inhabitants, or anything of that sort.

Lord *Monk-Bretton.*

473. You said there were 15 people in Connaught who sell these poisons. Do you mean that the total number of people qualified to sell poisons in Connaught is 15?—No. I did not say that; I was talking of the County Galway. At least, I do not think I said that. I did not mean to say it, because there must be a great many more than that.

474. I thought it was a mistake?—I cannot have meant to say that.

475. You have the figures?—We have them in counties here.

Lord *Monk Bretton*—continued.

476. It was stated in Parliament that it was 62?—I could not contradict that. The way I have them here is in counties, and I have a list here with each town that we have absolutely sent round the county and made up, so there is no question about it. I am talking of Roundstone.

477. I did not ask about that?—But I want to show you.

478. My question referred to Connaught entirely?—I could not say, without totting up.

Chairman.

479. Is it 15 in Galway?—Yes; if I said Connaught, I must have made a mistake. I withdraw it, if I did say so. We have 60 qualified persons in Connaught.

Mr. *Idris.*

480. To clear up a point made by Lord Monk-Bretton, as to whether the non-poisonous or the arsenical dips were the cheaper, do not you know that, as a matter of fact, they may not be cheaper to the purchaser, but they are very much cheaper to the manufacturer?—They are, because they are very much more easily made.

481. They yield a very much larger profit, and consequently these makers of arsenical dips can afford to send travellers round to canvass for orders, and persuade people to use these particular things?—They get a shilling a package for poisonous dips. That is the price fixed by the maker. You hear a lot about not getting them cheaply. A shilling is the regular price for dipping 20 sheep. For half-a-crown you can get 5 lbs. of carbolic dip, which will dip five times the number, that is 6d. for 20, instead of the 1s. There is far more profit on arsenical dips, because they are charged higher.

482. And they are pushed by manufacturers who can afford to do it, because of the profit?—Yes.

483. Is there a chemist of the name of Featherstone in Roundstone?—That is the name of the man I mean. He has gone there within the last 12 months, perhaps. He was added on to our map only just before I came away. He was a Dublin man who went to that town.

(The Witness is directed to withdraw.)

Mr. DAVID M. WATSON is called in; and Examined as follows:

Chairman.

484. Are you of the Pharmaceutical Society?—I am, my Lord. I am a pharmaceutical chemist and a dealer in weed-killers, sheep dips and insecticides.

485. The demand for sheep-dips has become much more large of late, has it not?—I cannot say that from my own experience, because for the 20 years I have been in the business I think the demand has been about the same.

486. What are your objections to the extension of the sale of these sheep-dips to others than pharmaceutical chemists?—In the first place, in

Chairman—continued.

Ireland we have a separate Pharmacy Act, a separate Poisons Act, and a separate Poison Schedule, and to apply to Ireland the Bill which has been drawn would create endless confusion in interpreting the different sections of the Acts. I may say that I was at our Solicitor's yesterday morning in Dublin, and he said that as far as they were concerned it would be a capital thing for them on account of the legal confusion that would arise.

Lord *Saltoun.*

487. The Solicitor to the Pharmaceutical Society?—Yes

Lord *Saltoun*—continued.

—Yes. The Solicitor to the Pharmaceutical Society They said it would be of great value to them if this Act that you propose were extended to Ireland, because every case would have to be taken to the High Courts for a decision on most points, but they said: " If Ireland must come under these regulations, a separate Bill is the only thing that can be done to make it work."

Chairman.

488. Are you aware that, when this Bill was before the House of Lords before, Ireland was struck out in Committee and was afterwards replaced on Report ?—No, I was not aware of that. I believe that it was not in the original draft of the Bill.

489. You know now that a great number of the County Councils of Ireland have petitioned in favour of it ?—I am aware of that, but, as the previous witness said, we think that these petitions are not absolutely spontaneous, and I am sorry that you did not allow the witness to show you the evidence, because I think it is fairly conclusive that these petitions emanated originally from manufacturers.

490. Are you aware that no County Council has petitioned against the Bill.—Yes, I understand that. I do not know it of my own knowledge.

491. Do you know that the Board of Agriculture is in favour of the extension ?—I was surprised to see by Mr. Russell's evidence that they were.

492. Now why should it be more dangerous for an ironmonger to sell a bottle labelled " Poison " than for a chemist to do so, supposing it is properly labelled ?—A chemist is liable to lose his qualification if he does anything which is considered detrimental to the public interest. There is a clause in Section 35 of our Act providing that the Lord Lieutenant may take away our licences if we are guilty of anything that is unprofessional conduct. We are exactly in the same position as the legal profession and medical practitioners in that way. That puts a responsibility on the qualified chemist, on account of his training and qualification and the possibility of his being removed, which you cannot expect from a man who has not been trained.

Mr. *Godfrey Baring.*

493. With regard to the responsibility, what step would he take in selling sheepwash ? What step would a chemist take which an ironmonger would not take ?—It is a weekly occurrence for me to refuse the sale of poisons to men whom I believe are quite legitimately asking for them, but whom I do not know.

494. If an agriculturist applied for an arsenical sheepwash, if you thought he was not a suitable man you would not supply it ?—I would not. I frequently refuse.

Lord *Stanley of Alderley.*

495. Is your shop in Dublin ?—Yes.

496. Is it as a rule the farmers who come to ask ? —Yes.

497. Are they your customers ?—Yes, I meet them at the markets and agricultural shows.

Mr. *Godfrey Baring.*

498. Is it the practice of chemists to discriminate who they should sell sheepwash to ?—It is quite the practice.

Mr. *Godfrey Baring*—continued.

499. Do the farmers have to sign the poison register ?—Yes, for arsenical dips.

Lord *Stanley of Alderley.*

500. If you knew a man as a farmer you would sell him a bottle of sheepwash ?—If I knew him personally as a farmer.

501. Supposing it is in evidence that the farmer, the small farmer especially, would like to buy sheepwash from an ironmonger in the village with whom he usually deals and with whom he has a current account, rather than go to a chemist in the towns to whom he pays cash and with whom he does not usually deal, do not you think that the ironmonger in the village will know him much better than the chemist in the town ?—I do not think so.

502. Did you understand the question ?—Yes.

503. Will you answer it ?—I do not think he would be more likely to be known by the iron monger. I think a farmer coming into the town will be as well acquainted with the chemist as with the ironmonger.

504. You think the farmer who deals weekly with the ironmonger and has a credit account with him is not likely to be better known to the ironmonger than he would be to the chemist to whom he sent occasionally for poison. Please answer the question ?—I do think so.

505. You think it would be so ?—I think ironmonger and chemist or druggist would be equally well known.

Sir *John Batty Tute.*

506. Any mistake resulting in accident would be more serious to the chemist than it would be if anything occurred with regard to an ironmonger ? —Yes.

507. The chemist has to take more care ?—Yes. And there is undoubtedly a certain amount of odium attached to a chemist when any accident occurs with poison which has been sold at his shop, and this insures his carefulness, for his entire business is dealing with drugs.

Lord *Saltoun.*

508. Supposing a farmer goes to you and asks you for a certain quantity of sheep-dip and you refuse to sell it to him, do not you lay yourself under very great responsibility. You may interfere with him very seriously in his trade while he is looking for someone else likely to sell the stuff ?— In country districts the men of the whole district will be known to the local druggist.

509. But in the market or wherever you may be, do not you think you would be taking very serious responsibility upon yourself in refusing to sell the sheep-dip ?—I do not think so. It is a necessary precaution.

510. You may interfere with his business very seriously ?—You see, in the first place, we ought to carry out the law, and that is the law on the subject.

Chairman.

511. You are a Dublin chemist ?—Yes.

512. Therefore you are not very well acquainted with the difficulties which farmers meet with in the West of Ireland ?—Before coming to this Committee, I made it my business in the markets and shows to ask many men with whom I dealt and many others whom I met whether they had

Chairman—continued.

any difficulty. I have been doing this for two years since this Bill was before the House of Lords before, and I think there was only one man who said that he considered there was any difficulty in obtaining these things in Ireland.

Mr. *Godfrey Baring.*

513. That was in the Dublin market?—That is the biggest live fat stock market in the three Kingdoms, and they come from all towns.

514. From the west?—From the north, south, east and west; every Thursday.

Lord *Saltoun.*

515. But in the west they have not you to deal with?—We have a fair number of qualified sellers in the west. There are other facilities for dipping. I suppose you are aware that the County Councils have authority to erect and maintain dipping tanks. They provide the dip and do the dipping, and they can recover half of the cost from the Department of Agriculture; so that, in any district where farmers are small and cannot afford a private tank, they can apply to the local authority. The local authority has power to build the tanks, or send men about with moveable tanks and supply the dip.

Lord *Stanley of Alderley.*

516. Do you sell dips to farmers who come from a great distance?—If I know them.

517. From Munster or Connaught?—Not many dips. They are supplied locally.

518. Is your trade in dips mostly with local farmers living round Dublin?—I send them as far as Ballinasloe.

519. By post?—Or rail.

520. That is on a written order?—Either a written order or a personal order. The customer I have in my mind at present is at Ballinasloe and is personally known to me.

521. Is he a large farmer?—A large farmer; one of the largest.

522. You would not expect a small farmer with 10 or 12 sheep to come to you from Connaught?—It would not be necessary.

523. It would not be convenient either?—It is not necessary, because he has qualified sellers within a shorter distance.

524. Now, if you were a chemist in a small place, even if there were two chemists, if the farmer usually came to you, you would know him better than the other chemist would know him?—Yes.

525. If he asked you to sell these poisons, and you refused, he would have to go where he was less known?—I should not refuse if I knew him.

526. If he deals much with you, you know him?—Yes.

527. Do you consider that the small farmer who has three or under ten sheep—a case that was put to us—would be known to the chemist in the town, which might be a good many miles off? Should he have that inconvenience?—He might have to do that, but in many counties of Ireland now they have erected those public tanks.

528. I heard you say that, but, assuming it is a county where they have not done that, do you think that a small farmer with 10 sheep

Lord *Stanley of Alderley*—continued.

20 miles off Sligo would be known to the chemist in the town of Sligo, for instance?—Yes, as far as 20 miles he would, unless there are other towns nearer him.

529. Sligo is the most eastern point. There are farms further off. You have a little farmer with six or 10 sheep who wants to dip. Should he have the inconvenience of coming to Sligo and signing the book personally in order to get the dip?—Under the Diseases of Animals Act five days' notice must be given of each statutory dipping, and he knows he will want the dip. In the interval surely he can get dip from any town, even if he has to send to London for it.

530. You think it reasonable to ask a little farmer to come into Sligo, 20 miles, to get dip for five or six sheep?—Yes; the same man will have to come there for other things.

531. I take your answer. You say it is reasonable. That is your opinion, and I am content with it?—Yes.

Mr. *Idris.*

532. He must come in, whether he likes it or not, for other things?—Yes; he has to come to the market town.

533. You are a chemist?—Yes.

534. You have heard the experience of other chemists, who have refused to supply poisons to people who stated what they would use them for, and who were suspicious?—Yes.

535. Would the ironmonger have the same trained discretion and ability to realise whether the person was telling the truth?—My point is that he has not the same responsibility put on him.

536. Nor the same knowledge?—Nor the same knowledge.

537. A chemist would know perfectly well whether a man was telling the truth if he came in for poison for agricultural purposes, and said it was necessary for killing ants or destroying smut or spraying diseased potatoes, or for Russian blight or any of the other things which would be included in the agricultural purposes?—A chemist would cross-examine as to whether it was the case or not. I myself have been asked for poisonous preparations for dealing with fungoid growths on plants, and for the destruction of insects on plants, and never sell them without careful inquiry.

538. In fact, all these things that a knowledge of chemistry and botany is required in, would enable the chemist to have a better check on the misuse of poisons than the ironmonger?—I think so. That has been the principle of the Poisons Act up to the present.

Sir *John Batty Tuke.*

539. Do you sell many insecticides?—Yes, I deal in these things.

540. Would you unreservedly give over the counter a bottle of insecticide, composed of arsenic in syrup, without inquiring as to the applicant who wished to be supplied with it?—I should not, certainly.

541. Have there been many cases of accident in Ireland from poisons?—From specific or general poisons?

542. General poisons?—No. I think that the accidents

Sir *John Batty Tuke*—continued.

accidents from poisons in Ireland are less than in England. I have no figures, but my impression is that they are less than in England.

543. Do you know of any case of suicide by insecticide?—I do not know of a single suicide by insecticide in Ireland.

544. Most of these insecticides would provide a very easy way of taking arsenic, would they not?—Yes. They can easily be made into solution as a rule.

545. Or suspended in syrup?—Yes. The latest insecticide is the vapourising of hydrocyanic (or prussic) acid. There is nothing which would prevent the new Act being made to apply to the sale of packages of stuff to produce that acid. It is a most dangerous thing to use.

546. How is that made?—It is made by a rather crude process of overturning sulphuric acid into a vessel containing cyanide of sodium. This liberates the hydrocyanic (or prussic) acid in the greenhouses where it is used.

547. If a portion of the package were taken would that produce death?—Certainly. The cyanide of sodium is a poison, and the vapour that is given off is very poisonous. It is prussic acid.

Chairman.

548. Have you looked at Clause 5 of the Bill, which seems to guard against the particular thing that you are mentioning? Nobody can sell, unless in this particular way—in bottles, labelled "Poison"?—Yes. The only difference is that these are the provisions of the old Act, which referred to qualified traders. These provisions will now apply to traders who are not qualified, either by training or otherwise.

549. Yes, of course?—Merely licensees.

Lord *Monk-Bretton.*

550. In the case of a man who demanded poisonous insecticide, as has been suggested, is there a register?—Yes.

551. Which a man would have to sign?—Yes.

552. Giving his name and address?—Yes.

Mr. *Atherley-Jones.*

553. Are you aware that there is a very large illicit sale of poisons now, for the purposes of sheep-wash, and cognate purposes?—We are not aware that it is large in Ireland. We know that there is some, but the police look after it and keep us informed.

554. But you are aware that there is an illicit sale?—Yes, there is an illicit sale.

555. And that illicit sale is somewhat largely carried on?—I do not admit that it is largely carried on in Ireland.

556. You do not think it is?—No.

557. Have you, in your knowledge, any recorded cases of accident or crime arising through the illicit sale?—I have not.

Mr. *Vincent Kennedy.*

558. You seem to think it necessary or advisable that farmers should be brought into the town, even at inconvenience, to procure the insecticides, and so on?—I do not quite follow your question.

Mr. *Vincent Kennedy*—continued.

559. You seem to think it necessary or advisable *that farmers should be brought into the town, even at inconvenience, to procure the insecticides, and so on?—It is necessary for them to come in* in any case.

560. Are you familiar with rural Ireland?—Yes, comparatively.

561. Is your evidence here that farmers come into the towns, or even to the villages, for their household wants?—They undoubtedly do.

562. Are you not thoroughly well aware that the roadside shops, which have been springing up for a considerable time, are now almost all over the country?—That may be so, but there is bound to be a distance between even the roadside shop and some of the people who deal at it, and in any case these roadside shopkeepers sell foodstuffs and would not be licenseable under the new Act.

563. Are you not aware that farmers throughout Ireland almost exclusively deal at these roadside shops?—I am not aware of that, from my own knowledge.

Mr. *Godfrey Baring.*

564. You said just now that you did not attach much importance to resolutions of Irish County Councils on these matters. Do you mean that you think the Councils have been influenced by the manufacturers in coming to the resolutions?—We have that idea.

565. Would not the Councils be composed largely of practical agriculturists?—I do not think that. There would be, I think, a large proportion of shop-keepers.

566. The Council of Agriculture have passed on several occasions resolutions in favour of extending the Bill to Ireland. Would your remarks apply to them? Would they be influenced by manufacturers?—I have no knowledge of them. We have knowledge regarding the County Councils.

Mr. *Idris.*

567. Have you a map there?—Yes.

568. What is the map?—It shows the distribution of the qualified traders in Ireland.

569. Could that be handed in?—Certainly. (*Handing the same to the Committee.*)

Lord *Monk-Bretton.*

570. Have you anything to do with the administration of the Pharmaceutical Society?—Yes. I am on the Council of the Society.

571. Have you any Inspectors?—Under the Pharmacy Act, yes.

572. Have you anybody except the police, who could tell you where illicit sales are going on?—The information of qualified traders in the different districts is taken.

573. That is really like the English Pharmaceutical Society in that respect?—It is somewhat similar. I do not know exactly what the English Pharmacy Act says with regard to that, but we get our information in these two ways.

Chairman.

Thank you, I think that is all.

(*The Witness is directed to withdraw.*)

574. You

Mr. Jesse Boot is called in, and Examined, as follows:—

Chairman.

574. You are the Managing Director of Boots Cash Chemists, Nottingham?—Yes, I am, my Lord. I have prepared a statement which will take me about a quarter of an hour to go through if you will allow me to go through it. It fairly states our case.

575. I have only just received this, and therefore I am afraid I cannot examine upon it. Will you give us the principal points?—I am the managing director of five companies—four retail—Boots Cash Chemists, Limited, eastern, western, Lancashire, and southern, and one manufacturing company. We say that the magnitude of our companies enables us to take precautions for the purity of our drugs, but which would be impossible with a small retail man. We started in 1895 an analytical department. I propose to hand in the report. For the last two years we have had written reports of the department (*handing the same to the Committee*). We keep six men analysing all that we manufacture and all that we buy. Last year we analysed no less than 7,000 samples of drugs. It is a very important department. Those reports were written privately, but I thought it would be useful to print them for the Committee. They were written to hand to me. A year ago a retail chemist was prosecuted for selling powdered gentian root adulterated with olive stones. He himself had never examined it. He bought it from a wholesale house, a reputable house, too, and they had bought it from another wholesale house, and neither of them had taken any precautions to examine it. We found out seven years ago that there was great danger with regard to foreign-ground gentian root.

576. What is the object of this evidence?—It is to prove that we carry on business carefully.

577. We take that for granted?—It is generally said that companies are not careful, but that does not apply to us.

Mr. *Atherley-Jones.*

578. A suggestion fell from my honourable friend, Mr. Idris, that the use of the title, "Cash Chemists," or "Chemists," rather should be limited to individuals who keep a shop, and that companies ought not to enjoy that title. I apprehend that your evidence is rather with a view of establishing that the greatest care is taken by companies to secure the purity of their drugs and the efficiency of the management. Is that so?—That is so, and a large company like ours can afford to spend thousands of pounds a year in analysing its drugs and so on, whereas an individual chemist could not afford it, and it is important for the public that it should be done. We have 350 shops.

Chairman.

579. Will you make it as short as you can?—I will, certainly. As to the companies not being allowed to use the title of chemists because it is a personal one (that is the great argument, I understand), we say that this was a logical argument when the Pharmaceutical Society attempted to establish a monopoly by stopping companies

Chairman—continued.

trading, but when it was ruled, in 1880, that companies could keep open shop for the sale of poisons, the argument fell to the ground with regard to its being a personal title. We say that as companies are allowed to keep open shop for the sale of poisons and to compound and dispense medicines, which is the whole of the chemist's business as defined by the law, and no one now proposes to prevent them from doing so, it follows that if they are allowed to do a thing they must also be allowed to say that they do it; otherwise you have the ridiculous position that companies may carry on the trade but must not say so. When the Pharmaceutical Society attempted to create a monopoly of the trade and failed, any attempt to create a monopoly in the trade name failed also. The greater must include the less. That is our argument with regard to the name "Chemists."

Lord *Stanley of Alderley.*

580. I suppose you agree that any person who undertakes to dispense drugs and to make up prescriptions should be qualified?—The actual person who does it—yes. We are strongly in favour of that.

581. You have no objection to that?—None.

582. That is important?—We want it. We have always made a practice of it.

Mr. *Atherley-Jones.*

583. Have you qualified men in all your shops?—Yes, in every shop.

Lord *Stanley of Alderley.*

584. In what way qualified? What do you mean by that?—By examination of the Pharmaceutical Society. In my statement I say, "I am strongly in favour of the inclusion in the Poisons and Pharmacy Bill of a provision compelling limited companies to employ qualified chemists in every shop or department. In our companies this provision has always been observed."

585. We do not want you to glorify your company, if I may say so?—We want to tell you the facts. We have always observed that provision, and we wish to do so.

Chairman.

586. The name of the person by whom the business is conducted would be conspicuously exhibited, I suppose?—If that is the proposal, we should be prepared to carry it out.

587. Would you carry out Clause 3, then?—Yes. The Pharmaceutical Society wished to attempt to deprive us of the name or style of "Chemists," and we say that the safety of the public would be amply secured by the provision that in every particular shop or department where medicines are dispensed and sold a duly qualified man shall be in charge and responsible.

588. That is the law now. We have that already?—The name "Chemist" is a most valuable one as a trade name, and we contend that if after so many years we had to take down our signs it would lead to a very serious loss of prestige

Chairman—continued.

prestige on the part of the company. The average man would infer that we were not competent to carry on our trade, because he would think that if we were the law would not compel us to take the name "Chemist" away. With regard to our signs, the necessary alteration would mean a loss of £40,000 or £50,000. We do a very large trade with the travelling public. A man living in town knows where he can get things as cheaply as we can sell them. A West End chemist charges double the price, and people look out for one of our shops. The photographs will show you what it would mean to cut all the names down. We say, "Boots Cash Chemists."

Lord *Stanley of Alderley.*

589. We have your point. We do not want you to advertise your Company here?—Private chemists are allowed to carry on business at numerous branch shops and that is not objected to. The Pharmaceutical Society does not propose to prohibit this. If a deadly poison is sold at the same moment at each of twenty shops belonging to a private chemist, how can he exercise any personal supervision over the sales. We say we have a right to the title. It is a registered title, and no good reason has been shown for depriving us of it.

Chairman.

590. Is that the whole of the statement?—Would the Chairman ask questions now?

591. That is tolerably complete, I think?—Yes, I think so.

592. With regard to the title, do you say that anybody wants to deprive you of it. Have you not the right at present?—We have the right, but the Pharmaceutical Society propose by their Bill that the Company should not use the title of Chemists.

593. By another Bill?—Yes.

594. Not this Bill?—No.

Mr. *Atherley-Jones.*

595. Not by this Bill, but by an unofficial Member's Bill?—Yes, and this particular question was left to the Committee to decide. It was left open, I understood.

Chairman.

596. You are quite right in telling us all that, but that completes your case, does it not?—Yes, I think so.

Mr. *Idris.*

597. What Company do you represent?—Boots' Pure Drug Company, Limited; Boots Cash Chemists, Eastern, Western, Southern and Lancashire.

598. Would you give us the full title of the Companies?—Boots Cash Chemists (Eastern), Limited; Boots Cash Chemists (Western), Limited; Boots Cash Chemists (Lancashire), Limited; Boots Cash Chemists (Southern), Limited

599. When did you commence business as a chemist and druggist?—The Companies?

600. No. What date did you commence?—I never did commence business as a chemist.

Mr. *Idris*—continued.

601. What were you before these Companies were formed?—Storekeeper.

602. A druggist?—I always sold domestic drugs.

603. I want to know if you have passed any examination as a chemist?—No, decidedly not.

604. You have not passed any?—No, none.

605. Not in pharmacy or anything of the kind?—No.

606. What was the first Company that you promoted?—Boots, Limited, I believe.

607. Was it Boots' Pure Drug Company?—No, Boots, Limited, first, speaking from memory.

608. When was it first Boots' Pure Drug Company, Limited?—In 1888, 20 years since.

609. When was it Boots Cash Chemists first? When we started the Eastern. The Drug Company carried on a chemist's business.

610. But when did they start by the name of Chemists?—Cash Chemists?

611. What was the date when you first took that for your trade name?—Boots' Pure Drug Company, Limited?

612. When was it?—Twenty years ago.

613. Was it before the formation of any limited companies?—Twenty years ago.

614. When was Boots' Pure Drug Company started?—In 1888.

615. When was it that you first adopted the title "Boots Cash Chemists"?—"Boots (Eastern), Limited, Chemists and Druggists" being cumbersome and long we altered that to "Boots Cash Chemists" in the subsidiary Companies.

616. In 1888 what name did they use. When was the name registered?—We took power to carry on the business and trade of chemists and druggists in 1888, when it was registered.

617. The title "Cash Chemists" was registered as the name of the Limited Company in 1888?—No, I beg your pardon. We took power to carry on the trade of chemists and druggists in 1888.

618. That is not what I asked you. I want to know when was the name of Boots Cash Chemists used by one of your Companies?—Probably 10 years ago—1897; 11 years before that we called it Boots (Eastern), Limited. People did not know whether it was a shoe shop or a hosiery shop or so on, whereas the same number of words, "Boots Cash Chemists," expressed our name, the fact that we did a discount business, and the fact that we were chemists.

619. When did you first trade under the name of Chemists?—We took power to trade as chemists.

620. But you did not trade under the name of "Chemist"?—Yes, the same as you might say: "Idris, Chemist."

621. You used the name of "Boots, Chemists" in 1888?—Boots' Pure Drug Company, Chemists and Druggists," just the same as a private chemist would.

622. In 1888?—Since 1888.

623. But where was it put up?—On the facia and on the wrappers. We did dispensing.

624. When did you first put it on your facia?—Eleven years ago.

625. 1897?—As I have told you, the name was cumbersome, so we shortened the title. When

Mr. *Idris*—continued.

we called it Boots (Eastern), Limited, it expressed no idea of what our trade was. We put Boots (Eastern), Limited, Chemists and Druggists. The whole thing was long and cumbersome.

626. For how long do you say you have had the uninterrupted use of the title ?—For 20 years.

Lord *Stanley of Alderley.*

627. What was the date of the judicial decision that a company was entitled ?—1880, and eight years after that we began to use the title.

Mr. *Idris.*

628. The reason for assuming a professional title with the name "Chemists" in your various Companies was the fact that it was found to be a commercial asset, was it not ?—It was to make it shorter. We can get it on Bradshaw—"Boots Cash Chemists." If you put Boots (Eastern), Limited, and then put "Cash Chemists" or "Chemists and Druggists" you could not get it on.

629. Do not the public place a certain amount of value on the title Chemist, and did you not adopt it because it was an asset commercially ?—We have spent £4,000 in the last few years on the advertisement in Bradshaw.

630. I ask you, was it not because of its value as a trade asset ?—It was to shorten it. We had six words. We have spent £15,000 a year for 15 years in advertising. I wanted to make it short. If you have "Colman" you think it is mustard, and "Boots" means now Cash Chemists.

631. It is a trade asset, is it not ?—It is most important.

632. It is a trade asset, is it not ?—Yes.

633. Is not that why you assumed is ?—We assumed it because we carried on the business. You must describe the business that you carry on, must you not ? We described ours. We are Boots Cash Chemists, and Druggists.

634. What is your business now ?—Chemists and druggists.

635. Anything else ?—That is our great business. We have 460 qualified men on our staff.

636. What proportion of your turnover is from drugs ?—We have 350 shops. At 250 we sell nothing but drugs. All sell drugs, but we have mixed business in others.

637. Do you sell no silverware or brushes in the 250 shops ?—No. We have nothing but drugs. We have no agency for Gilbey's, or teas, or anything of the kind.

638. What do the others sell ? Do they sell fancy articles besides drugs ?—We have large places, where the rent is too high for drugs alone, and we have fancy goods at those besides drugs. They are large stores, but we have a qualified chemist, who has his own separate department, and he attends to that.

639. To take a place as an illustration, which I pass nearly every morning—King's Cross—there you have, "Boots Cash Chemists." The principal things shown there are not drugs, or anything of the kind, but brushes and sundry fancy articles ? —The brushes are only toilet articles. We are forbidden by the lease to sell anything but toilet articles. There are hair-brushes and perfumes,

Mr. *Idris*—continued.

and so on. Under the lease, a brush dealer two doors away does not allow us to sell anything else if we want to do so.

640. You sell brushes ?—Only toilet brushes, not household brushes, and a girl attends to them. We have a qualified chemist at King's Cross.

641. Do you sell no silverware at the 250 shops of which you have spoken ?—At King's Cross we have only what I have just told you.

642. I want to know what you sell at the 250 places. Is the bulk of your business concerned with pharmaceutical interests ?—In each of our shops the chemists give attention solely to their own departments.

643. Do you claim that the bulk of your commercial transactions is concerned with pharmaceutical interests ?—Five out of six, or more than that.

644. Would the fact of your being compelled to go back to the original title of "Boots' Pure Drug Company" injure you from a business point of view ?—Yes, it would, immensely.

645. It is a valuable trade asset, then ?—After 20 years of the sign everywhere, and after spending thousands of pounds, we do not want to go back.

Lord *Saltoun.*

646. Answer the question. It is a valuable trade asset ?—Yes.

Mr. *Idris.*

647. You claim to be pioneers of cheap drugs ? —Yes.

648. Was there no competition before the date that you went into business, as to cheap drugs ?—In most towns there was not.

649. In some of them there was ?—Yes. We say that the name is worth an immense sum to us.

650. Is it not a fact that your greatest competitors with regard to price at the present time are individual chemists and druggists ?—No, I should say not.

651. You are not sure about it ?—I am sure they are not.

652. You do not think it is so ?—No.

653. Do your Companies claim the title "Chemists" in connection with their business on the ground that they have actually qualified registered men in their employ ?—On the ground that they are chemists. They carry on the trade of chemists.

654. Your Companies claim the title "Chemists" in connection with their business on the ground that they have qualified men in their employ at every branch, and a qualified man on their Board of Directors ?—It is not necessarily because of the qualified men. We claim the trade name because we carry on the business of chemists.

655. Do you think that the presence of a qualified Director, or do you not think so, entitles the Company to use the title "Chemists" ?—We have a qualified man in each shop, and we do the business of chemists. It is the description of the trade which we carry on.

656. And on that ground you describe yourselves as chemists ?—We are chemists, and we carry on the trade in a legitimate manner, as, according

Mr. *Idris*—continued.

according to the 1880 Judgment, we can legally do.

657. Do you or do you not claim the title because of having a registered and qualified man on the premises?—We have always done that. Under the present law we are not compelled to, but we wish to do it.

658. I want a straight answer. Do you, or do you not, claim the title because of that?—We claim the title because we carry on the trade.

659. You have on your Board a Member of Parliament, have you not?—Yes.

660. Do you think that that circumstance authorises the Company to use the title, "Boots, Cash M.P.'s," if they think fit?—I do not think that is relevant to it at all.

661. To put it generally, do you claim that the Companies you represent are entitled to hold themselves out to the public under any or all of the professional titles earned and held by one of their Directors?—We say that it is not a professional title at all. With your permission, my Lord, I will read a short extract from my statement. This is how I put it: "The term 'Chemist' is not a professional title. It is a trade title. This view is held, not only by ourselves, but by the Privy Council, as is shown by the extract from a letter on the subject addressed to the President of the Royal College of Surgeons as follows:—'The decision of the House of Lords was not, in effect, to prevent companies to use the professional designation, but rather to affirm that Chemist and Druggist are properly trade descriptions, while Pharmaceutical Chemist, Pharmacist, &c., maintain their quasi-professional character.'"

Lord *Saltoun.*

662. That is how you claim?—That is how we claim.

663. That is the answer to Mr. Idris?—Yes.

Mr. *Idris.*

664. I want one straight answer. Do you, or do you not, claim a trade asset in the title of Chemist?—Certainly we do; not professionally, but as tradesmen, we claim it as an asset. That is what we do claim.

665. You do not think that the name of Boots would be as good for your business as the title, "Boots Cash Chemists?"—Certainly not, after spending thousands of pounds in showing that we are chemists.

Sir *John Batty Tuke.*

666. Who is responsible for accidents caused by a mistake with regard to the sale of the poisons which you sell?—Some 10 years since we appointed one of our Directors (it had nothing to do with the financial part of it at all) to attend to these questions—to write to our people with regard to the proper storage of poisons. For the last 10 years Mr. Waring has done nothing but devote his time to effecting improvements in the labelling and storage of poisons.

667. But I want to know who is responsible for accidents caused by a mistake at one of your shops?—We have a qualified man there.

668. Is he responsible?—He would be in the same position as a private chemist who has branch shops.

Sir *John Batty Tuke*—continued.

669. Would an action lie against him?—An action would lie against us if there were civil damages.

670. It would?—Yes. In the case of Lewis and Burrows, on an alleged mistake in dispensing, they had £200 to pay.

Mr. *Atherley-Jones.*

671. You say there would be a financial or pecuniary remedy against the Company?—Decidedly.

672. And there would be a criminal remedy, if the negligence were gross, against the qualified chemist in the shop?—Yes.

673. Is it a fact that in all your shops where you sell drugs you have a qualified pharmaceutical chemist in control?—We have at least one, and in large places two.

674. You have at least one in every shop?—Yes. We have 460 men, and we have 350 shops. I mean we have 460 fully qualified chemists, so we have always relief men to put on in case of illness.

675. Will you inform the Committee whether your view is that you stand in precisely the same position as a pharmaceutical chemist who has a number of shops?—Exactly the same. He could not split his personality over a number of places.

Mr. *Idris.*

676. I know you do not mean to say that you have pharmaceutical chemists. You know the difference between chemists and pharmaceutical chemists?—Yes. I mean men qualified by examination. A number of them are pharmaceutical chemists.

677. You do not claim that they are all pharmaceutical chemists or pharmacists or anything of the kind?—No.

678. You have qualified chemists and druggists?—That is so.

678A. You do not claim the titles pharmaceutical chemist or pharmacist?—No, we do not.

Chairman.

679. Mr. Waring, who is here, is your Managing Director?—He is one of our Managing Directors. He takes the management of the technical part of the business. I take the management of the commercial part.

680. I take it that his evidence would be much the same as yours?—No, I cannot say that. I would very much like you to hear his evidence. It will be interesting. He takes every care that security is afforded with regard to the storage and so on of poisons. We go far in that direction beyond the average chemist.

Lord *Stanley of Alderley.*

681. Even supposing you are very much better than other chemists, we do not want that?—But the Society wish to show that we are worse, my Lord.

Lord *Monk-Bretton.*

682. It is a question of safety?—It is a question of safety.

(*The Witness is directed to withdraw.*)

Die Martis, 12° *Maii*, 1908.

MEMBERS PRESENT:

Lord Saltoun.
Lord Stanley of Alderley.
Lord Lawrence.
Lord Monk Bretton.
Lord Haversham.

Mr. Atherley Jones.
Mr. Godfrey Baring.
Mr. Idris.
Mr. Vincent Kennedy.
Sir John Batty Tuke.

THE LORD HAVERSHAM IN THE CHAIR.

Mr. JOHN RYMER YOUNG is called in; and examined as follows:—

Chairman.

683. You are President of the Pharmaceutical Society of England, I think?—I am. May I hand in a copy of the statement, which I propose to make?

684. The duties of the Pharmaceutical Society are, amongst others, the examination of persons for registry as chemists, the actual registration of them, and the general promotion of chemistry?—Yes.

685. In fact, that is very much the same as we heard from the Pharmaceutical Society of Ireland?—Yes—the furtherance of educational schemes, the improvement of chemistry and pharmacy, and allied subjects, which have reference to the education of chemists.

686. Your Society also undertakes, does it not, the prosecution of persons who illegally exercise the sale of posions?—Yes.

687. Do you find some difficulty in doing that, because there appears to be a good deal of illicit sale of poisons going on?—We do find difficulty. The difficulty is because of the defective system of registration which we now have. I might say that that is a defect which we are trying to meet in another Bill. If we could more easily ascertain the names and addresses, or the qualification of individuals keeping open shop for the sale of poisons, we could the more readily prosecute. In some cases it takes weeks and weeks to get the name of a person who we know is acting *ultra vires* in the carrying on of business.

688. What machinery have you for discovering persons who are illicitly selling poisons?—Absolutely none, other than that of our own officers investigating as far as they can from evidence collected in the usual way. We have no power to compel any person whom we suspect of acting improperly to disclose his name or his qualification; or the fact whether he is qualified or not.

Chairman—continued.

689. Practically, you depend upon the police?—No, the police do not prosecute. By the chief clause of our Act, it is restricted to the Pharmaceutical Society. Clause 15 is a clause relating to the prosecution of any person for acting as a chemist not being one; that does not come within the province of the police.

690. At present, at any rate, you consider your machinery very defective?—No; it is only defective in that it gives us increased difficulty when we want to ascertain a person's status. For instance, a branch shop is opened, and we have reason to suppose that improper practices are taking place there—that is, the selling of poisons by an unqualified man. Difficulties are thrown in our way, inasmuch as we find it hard to ascertain his real name. He has no need to give us any information on the subject. That is the only difficulty.

691. Have you read the evidence which has been given before this Committee, or any of it?—I have read most of it.

692. You are aware, therefore, that the sale of sheep dip has very largely increased?—To tell you the truth, I am not quite prepared to answer questions with regard to sheep dip. I presumed that that matter was closed, or rather, I assumed that possibly another Witness, who will be examined to-day, who is a greater authority on that matter than I am, would answer your questions more satisfactorily than I could upon the subject. Mr. Hill would answer them, if I might suggest that the questions be put to him.

693. Will you proceed to tell us what is your objection to the extension of the title, or rather of the right of selling poisons, to others than chemists?—You are not speaking of the title?

694. No; I should rather say, generally. First of all, what is your objection to it?—In the first instance, that it is contrary to the avowed and recorded

Chairman—continued.

recorded intention of the Pharmacy Acts, under which we now act.

695. Yes; but the law may be improved, you know?—Exactly. I desire to indicate that in our view, it is safer that the sale and distribution of poisons through the country should be in the hands of qualified people. May I illustrate the point for a moment?

696. Certainly?—I would like to illustrate it by pointing to the poisonings which took place before the Act of 1851, through the indiscriminate sale and easy procuration of arsenic. They resulted in the Arsenic Act of 1851, and that Act provided certain restrictions, but the sale of arsenic was still a public matter. Anyone could sell it. The result was that these regulations were useless; they did not check the poisonings that were going on through the use of arsenic. But later on, in 1868, when the Pharmacy Act passed and the Schedule of Poisons was included, and the sale of those poisons, including arsenic, was restricted to qualified chemists, the sales of arsenic largely diminished—that is to say, the accidents and criminal cases resulting from the use of arsenic immediately decreased. I would submit from that that the effect of putting it into the hands of qualified chemists was beneficial.

697. I would like to ask you whether you agree with this view of the Board of Agriculture: "With regard to the safety of the public, the Board think that real protection is afforded much more by well-considered regulations than by limitations of the persons by whom sales are made"?—No.

698. You do not think that regulations are as good as limitations of sale?—No; I say that the evidence is in the other direction.

699. You do not think that if poisons are put up in suitable packages, and properly labelled, accidents are, as far as possible, guarded against?—No, I do not. I would instance the difficulty which an ordinary customer has now in obtaining a couple of ounces of arsenic. He has to go to a registered chemist and to comply with certain regulations as to signing, and the stuff must be sold only by a qualified person, thus making it quite a troublesome matter to obtain it. In future such a person, if he requires a couple of ounces of arsenic, will only need to call for sheep dip in order to obtain a pound of arsenic, and he will avoid all those difficulties. The chemist is in a position now to check, and he does check, day by day, and stop, the sale of these poisons That is where I would suggest that the educated man comes in. It is my experience, and probably that of all other chemists day by day, to refuse to sell, or to obstruct the sale of certain poisons where I am not satisfied that they will be properly used, or that the person asking for them understands their use. That is quite a common experience.

700. I suppose that you could give us no opinion as to the difficulties that farmers appear to be in in the West of Ireland, and other less inhabited districts? In cases where they are, as is sometimes the fact, 50 miles away from a chemist, how are they able to obtain poisons?—I am afraid that I cannot answer with regard

Chairman—continued.

to that point, but a succeeding Witness will be able to do so.

Mr. *Idris.*

701. Are you acquainted with the provisions of the draft Poisons and Pharmacy Bill, which is before this Committee?—Yes.

702. Do you agree with the Bill?—No, I do not agree with the Bill.

703. Can you give us any particular objections to it?—Particularly Clause 2, which, as you will have gathered from my previous remarks, amounts, in my opinion, to practically a repeal of the existing Pharmacy Act. It is creating a new class of poisons which are to be sold by an unqualified set of people, and for the reasons which I have just tried to indicate, I think that would be extremely dangerous.

704. As to the question of titles, do you think it is material to the safety of the public that these titles should be restricted to men who have personally passed examinations?—Most certainly.

705. Are you acquainted with a clause to meet Lord Ebury's amendment to which the Chairman has alluded?—Yes, I know the clause to meet Lord Ebury's amendment.

706. Do you think that that would meet the difficulty or would be just?—I certainly do not.

707. You do not?—You are asking me if I think that Lord Ebury's clause would meet the case or would be useful?

708. Yes?—No, most certainly not.

709. Will you give us reasons why?—In the first place it is a case of associated capital being able to possess itself of a title which is denied to the individual. Capitalists and companies in such cases are then able to make use of a title by the mere hiring of an assistant who has one, and in that way they have an enormous advantage over the individual who can only use that title after having obtained it by means of passing the statutory examinations—that is to say, the company is put in a position of great advantage over the individual in that particuar case, in that he is able to hire a qualification. The individual man, Jones or Smith, may not hire a chemist and adopt the title; but "Jones & Co." may hire titles.

710. Do you think that the provisions of a Bill now before the House of Commons, promoted by the Pharmaceutical Society, would be just, and would get over the difficulty?—Yes.

Lord *Saltoun.*

711. Clause 6?—Yes.

Mr. *Idris.*

712. Can you in any way briefly describe the objects that the Society have in view in promoting this Bill in the House of Commons?—First and foremost is the desire, as I have already indicated, to get some clause that will enable us to correct our registration. The present system of registration is avowedly clumsy, incomplete and inaccurate, and it must be so under existing regulations. We desire to get—and it is embodied in Clause 6—power to go to the man who has

Mr. *Idris*—continued.

opened a branch shop and ask him his authority for so doing—just, I suppose, as a motor-car man might be asked to produce his certificate. Instead of having to do as we now do, namely, enquire of the neighbours and go to the municipal authorities and find out in whose district the place is rated, and that kind of thing—a very sideways course of proceeding—we should be able to ascertain that from the man himself. He should be compelled to give his authority for taking the position which he is taking. That is that particular clause. Then there is another clause which I think might recommend itself to members of the Committee, and that is the clause by which it would be possible for the Society to enter prosecutions against the principal, rather than against the mere assistant. At the present time a company carrying on business, and employing an unqualified assistant, is not open to prosecution; we have to prosecute the unqualified assistant.

Lord *Saltoun.*

713. You say "the unqualified assistant"?—Yes, we cannot prosecute the people who employ him. The result is that in many instances, although prosecutions are entered fines are never recovered, because the assistant is a man of straw. Possibly he cannot pay, in many instances he does not pay. That clause is framed in order to enable us to prosecute the proprietor of a company just as the proprietor in an individual capacity could be prosecuted. The whole tendency of the new Bill is to put the company on exactly the same footing as the individual—neither better nor worse.

Mr. *Idris.*

714. Is there anything in that Bill to prevent the trading of anybody in drugs and chemicals?—In the new Bill we are still discussing, do you mean?

715. Yes?—No, nothing except the scheduled poisons.

716. But the all-round business of a chemist and druggist with that exception can be carried on by co-operative stores or by any person?—Absolutely.

717. The Bill only prohibits the dealer from holding out the title of chemist and druggist to the public so as to claim qualification or special knowledge?—Yes, that is so. The Pharmacy Bill which is before the House of Commons now, and to which you have alluded, would in no sense restrict the business of any limited liability company. They would be able to do as they do now, except with regard to the use of the title.

718. You would protect the public from being misled by the false use of the title?—Exactly. My experience is that the public have been educated into the idea that seeing a name over a shop "Jones and Company, Cash Chemists" for instance, is an indication that Jones is a chemist, just as my own name being over my shop is an indication that I am a chemist. I have not the least doubt at all, I know it—that a very large section of the community is under that

Mr. *Idris*—continued.

impression, and I might go even further and say that they would not go to such shops if they were aware that there was not a qualified person in the company and that it is not even necessary to employ one.

719. Is it not the fact that in many cases of an unqualified seller, that is an unqualified assistant, the Society has prosecuted and has utterly failed to obtain a conviction, or that if it has obtained a conviction it has had to prosecute the same man about a dozen times, as in one case, before convicting him?—Would you repeat the question? Did you ask me if we had ever prosecuted in cases where companies have kept unqualified assistants?

720. Yes?—We have prosecuted in very many instances, and I do not hesitate to say that sometimes we have had to prosecute members of our own body who have done the same thing.

721. In the case of the irresponsible person who sells poisons in defiance of the law, have your prosecutions been futile?—Would you repeat that, I do not quite follow you.

722. Your attempts at punishing the unqualified men who was the seller of a poison have been futile?—Quite; in the case of the proprietor of a large drug store in the South of England, a firm having some sixty or more branches, we prosecuted in 43 or 44 instances, and got convictions for selling poisons with no qualified assistant present, and in one of those particular instances the same business has been fined 20 times. They find it cheaper to pay the fines, than to employ qualified assistants. They openly say so.

723. The responsible chemist when he is qualified takes much greater care in the storage, the sale, and the dispensing of poisons than the Act of Parliament prescribes that he shall do?—Yes, as I have already said, the Act of Parliament gives me power to sell laudanum, for instance, and many other poisons just as freely and as often as I like, without the slightest restrictions other than those of labelling, &c., but we have imposed upon ourselves very many restrictions in that particular matter by refusing to sell.

724. And by checking?—And by checking. In all good dispensing houses, a system of checking is adopted even when there are qualified assistants.

Lord *Saltoun.*

725. Not in all? You say in "all good"?—Yes, because a pharmacy is like other bodies. They have not all got two qualified assistants, but it is looked upon as the proper ethics to adopt the system of checking.

Mr. *Idris.*

726. You agree that it is, or you are of opinion that it is decidedly necessary for the protection of the public that the title should be restricted to qualified men?—Most undoubtedly.

727. Do you draw any distinction between the sale of a packet article by a chemist on the one hand, and by an ordinary dealer on the other?—Yes. Again I have to point out that the discretion of the seller comes in. In illustration of

that

Mr. *Idris*—continued.

that matter I might refer you to a case which occurred in Hull a year or two ago, in which an illiterate woman keeping a shop was asked for glycerine. She was unable to read, and she invited the customer to pick off from the counter what she supposed would be glycerine. Unfortunately the customer was as illiterate as the seller, and a bottle of camphorated oil was taken and administered, and poisoning took place. There is an instance of what would have been absolutely impossible had the customer fallen into the hands of a qualified chemist.

728. In Document C you give some instances of evasion of responsibility by companies. Will you give us verbally a few illustrations of that fact?—With regard to the number of evasions, there are hundreds of them. I can give you a few, and there are a few others in that paper to which I will allude in a moment. I might refer now to John Sarsfield, who failed six times for the minor examination, gave it up as a bad job, and then converted himself into "Sarsfield and Company, Limited"—then he was all right. Another case is that of Price and Company, Limited. John Oakley failed 18 times in the entrance examination. He paid several penalties for keeping open shop and selling poisons. He also converted himself into a limited company, and became able to do that which he was fined several times for, after having failed 18 times for the first examination. Warhurst's, Limited, of Liverpool, is a firm which I know. William Herbert Warhurst failed eight times for the minor examination, and then formed "Warhurst's, Limited." Edgar H. Wand failed six times for the minor examination. The business was converted into a company—"Wand's, Limited." There are many others.

729. You are able to prove that in a very large number of cases people who have failed to pass the examination put themselves above all the laws and all the regulations by forming themselves into a company?—That is so. If I may refer to Document C, I should like to draw attention to some very notorious cases, and particularly the one of William Day, which is one of the most notorious cases with which the Pharmaceutical Society has ever had to deal. It is mentioned in the Blue Book which came out. I refer to the Companies Acts, 1862 to 1890, Amendment Bill. This is the Report of the Departmental Committee issued in 1895. I will quote only a few words. I will not take up too much of your time: "Your Committee were referred to an advertisement by an enterprising firm offering to turn a person into a corporation with limited liability, for a modest fee, and pointing out the advantages of the proceeding. Your Committee have received many communications from the Pharmaceutical Society of Great Britain and from medical societies, in which it is stated that the course described is adopted by unqualified persons for the purpose of enabling them to carry on the business of chemists and druggists, or some branch of the medical profession, which they could not do as individuals. Your Committee did not think that the specific amendment of the law asked for by these societies fell within the scope of their reference, and they were of opinion that

Mr. *Idris*—continued.

any real grievance should be met by an amendment of the Pharmaceutical and Medical Acts." I will give you one very marked instance—the one to which I just alluded:—"William Day, a grocer of Southampton, was convicted of having sold poison and fined five pounds, he not being a person registered under the Pharmacy Act, 1868, as possessing the competent skill and knowledge which the Act declares to be essential for persons who carry on the business of a chemist and druggist to possess. To escape further penalties and yet continue the distribution to the public of potent drugs and medicines, he associated himself with other persons and formed the Southampton Drug Company. This Company was registered in 1882 with a nominal capital of £10,000, in £1 shares. In April, 1886, the Company consisted of six persons, who held between them 6,000 shares, representing the whole of the subscribed capital. W. Day held 5,995 of these shares, and the other five persons held one share each. None of the shareholders, as individuals, could have lawfully carried on the business of a chemist and druggist." I would particularly draw your attention, without labouring it too much, to some points concerning this Company.

Chairman.

730. No, I do not think that you need do that?—Very well, my Lord. It is an important case in pharmaceutical history.

731. You do not seem to me to observe Clause 3 in the Bill before us, which prevents any person from selling drugs unless he has a registered qualified pharmaceutical chemist in the shop. To do what you have been speaking of would be an offence under this if the Bill passes into an Act?—Are you speaking of the Poisons and Pharmacy Bill that the Committee is now considering?

732. Yes, the Bill that is referred to us, with which we have to deal. Look at Clause 3?—What do you wish to ask me concerning that clause?

733. I wish to ask you whether you are aware that it will be an offence for any person who, being a duly registered pharmaceutical chemist, or chemist and druggist, carries on that business unless the business is either *bona fide* conducted by himself or some other duly registered pharmaceutical chemist, or chemist and druggist as the case may be?—Yes, I am aware of that.

734. Because you seem to me to think that people would come in and sell poisons without being registered?—Exactly. I have been trying up to the present moment to indicate how important it is, and I believe that I did do so in answer to a question, that the business should be in the hands of qualified people.

735. But that is secured by this Bill?—But I am thinking of qualified proprietorship. This does secure it up to a certain point.

Lord *Saltoun.*

736. That is the whole difference?—Yes.

Mr. *Idris.*

737. It is a case where the qualified man employed can enable his master to hold himself out to the public

Mr. *Idris*—continued.

public falsely as a man who is versed in chemistry, and who has a knowledge of pharmacy ?—It comes to that. The person whose name is up over the door is not the qualified person. He is doing his business by proxy.

738. There is no reason why he should not carry on business, and use the title of his assistant, but you want to prevent him from using the title falsely himself ?—Yes, there is absolutely no desire whatever to stop the company, whatever its name may be, from carrying on business, as I have already indicated. It is only in regard to the use of the title that the objection comes in.

739. With regard to the decision of the House of Lords in 1880, do you think that the question of the public safety was properly discussed in that case ?—No. The question of public safety received no consideration whatever. That case, to the best of my recollection—indeed I am certain —was entirely and absolutely a test question as to whether a limited liability company of unqualified persons could keep open shop for the sale of poisons, that is to say, whether it was legal for a company to do that which an individual could not do. That was the only issue. The decision went against us, and it was decided that it was legal for a company, but was not legal for an individual.

740. The question of title was not brought in at all ?—It was not. It follows by inference, as it is included in the same clause, that it covered the ground, but the question of title did not come in.

741. You do not wish to stop companies from keeping open shop ?—We have not the slightest desire to do anything of the kind.

742. But you do desire that they shall not be able to delude the public into the idea that they are qualified themselves ?—That is the point.

743. You are quite prepared to let them keep open shop to any extent, but they must employ qualified men ?—Yes.

744. How are companies to announce to the public that the business which they carry on is a lawful one ?—There are numbers of titles which could be assumed, and which have been assumed. For instance, one of the largest drug companies that we know of at the present time, Messrs. Boots & Company, got over that difficulty. There is no reason why I should not mention the name. Why should they not go back to the original name "Boots' Pure Drug Stores"; that was the name under which they were first known. Why should they desire to adopt and usurp a title which is restricted to qualified men ? There are hundreds of companies which are being carried on, which do not infringe our titles at all. There are many titles which do not infringe.

745. Would any interest be damaged if, for instance, these companies had to take their original title under which they established their trade ?—No, not if the title was not originally an infringement of our title.

746. When the company was registered as "Boots, Cash Chemists," was not the first means of doing it the taking of one law, the Limited Liability Companies Acts, to nullify another ?—Yes.

747. And in that way, by getting the title of the registered company, which incorporated the word "chemist," they were enabled to open as "Boots, Cash Chemists." Is that not the way in which they did it ?—Yes. "Boots' Pure Drug Stores" was the original name, and that is the name by which that very large firm made its reputation. It was at a comparatively recent, or I do not say recent, but at a later period, that they adopted the title of "Boots, Cash Chemists." There can be no injustice in what we suggested; in fact the injustice surely is in ever having allowed a corporate body to adopt our titles.

748. The Limited Liability Act has been responsible ?—Yes, it has been responsible for the whole trouble.

749. You have this duty of prosecution imposed upon you by Act of Parliament ?—Yes.

750. Can you give us some of the difficulties that you refer to in administering the law ?—I think I have done that. I have tried to indicate the difficulty that we are sometimes in in getting at the wrongdoer, and also the difficulty which exists in, having secured a conviction, being unable to recover a fine. The Society, knowing that the assistant is a man of straw, or a youth of straw, as often happens, is reluctant to make prosecution into persecution, and it does not sue for imprisonment, but hundreds of penalties every year are evaded in that way. There are many penalties which we never recover.

751. Having regard to the difficulties which you have now, would it not be much more easy for the Society to administer the law, and would it not be very much clearer, if the provisions of the Bill which is before the House of Commons were put into the present Bill ? I understand that the Committee do not wish to go into that ?—That point came in only as a side issue.

Chairman.

752. But that is another matter about which we know nothing ?—I quite agree. I was asked what I thought was the remedy.

Mr. *Atherley Jones.*

753. Your contention is that the title "chemist" or "druggist" should not be employed by a public company ?—Yes.

754. And you stated just now, in answer to my friend, that you did not think the deprivation of this title would be an injury to those companies which enjoyed it. Do I understand you rightly ?—Yes.

755. Do you not regard the title of "chemist" or "cash chemist," or whatever it may be, as a trade asset of value ?—No, not as a trade asset at all.

756. Of value ?—No. I only regard it as a trade asset in this sense—I think that I can make it clear—that it is to the advantage of the qualified chemist to know that he possesses a title which is an indication to the community that he is a qualified man.

757. But that is not quite my question. Would it be likely to lead to commercial injury to a company who used the title "chemists" if it was to be deprived of it ?—No. I do not see that it would.

758. You

Mr. *Atherley Jones*—continued.

758. You do not think that it would ?—No.

759. We will take as an illustration " Jones & Co., Cash Chemists." You think that the title " Cash Chemists," used by Jones & Co., does not assist Jones & Co. in their business at all, and that they would be just as well without it ?—They would be just as well without it. Boot & Co. were just as well without it as they are with it.

760. When it was " Pure Drug Stores " ?—Yes.

761. If Mr. Boot, speaking from his commercial experience, differs from you, you think that Mr. Boot is wrong ?—I always find that the individual who usurps or takes upon himself a title which he should not use thinks himself an injured person if he is interfered with.

762. That is quite sufficient for my purpose ?—It is purely a question of title.

763. I agree that it is purely a question of title ?—If you do not mind my putting a question to you, might I ask whether you would consider it quite legitimate if Boot & Co. employed a barrister and described themselves as barristers ?

764. That is not a question which the Committee is concerned with ?—No, but it is an exactly parallel case.

765. I think that on the whole I should be favourable to it, because it would produce litigation ?—I think you would not.

766. Now what gain do you suggest the public would secure by the prevention of a company having and enjoying the title of " chemists " ?—It gives an assumed indication that they have passed certain examinations which they have not passed, and therefore they have a claim on public esteem, shall I say, which is illegitimate.

767. Let me follow you clearly. Do you suggest that the description " cash chemists," or whatever it may be, applied to the proprietor of stores, is what induces the public to go to those stores ?—I should certainly say that the knowledge that the person who is the proprietor of the business is a qualified chemist is that which takes the customer to that particular shop.

768. Let us follow that out for a moment. The law provides now, does it not, that any person engaged in the compounding or sale of drugs is bound to be a qualified chemist. That is the present law, is it not ?—That is with regard to certain scheduled poisons.

769. Yes, of course. That is the law at the present moment, is it not ?—Yes.

770. You said just now that the safety of the public was not considered in the case of The Pharmaceutical Society *v.* The London and Provincial Supply Association, Limited. May I quote to you words that were used by one of the learned Lords, in giving his judgment ? He said : " The trade union interest is not one which I would look upon very favourably. The public interest is entirely protected by the provision that if this business is carried on in any shop, the drugs shall be compounded and dispensed, and everything in which the safety of the public, or the interest of the public, is concerned, shall be done by duly qualified persons " ?—Yes.

771. That was said in this very case to which you refer ?—Yes.

Mr. *Atherley Jones*—continued.

772. Lord Blackburn also said in that case : " I quite agree that a body corporate may keep an open shop, and no mischief is done, if for the purpose of conducting the sale of drugs they keep qualified assistants, and if those qualified persons perform or superintend the sale. There I see no harm that can arise," . . . " I hold distinctly that there can be no sale, whether a corporation be the ultimate vendor or not, unless a ' person '—meaning a natural person—manages the sale, and that natural person, if unqualified, would, in my mind, clearly become liable to the penalty under the Act." Therefore you see that the point of public safety was considered in that case. I think you have already said that the law at the present time does exist that a qualified person shall compound, and only a qualified person shall compound and sell certain scheduled poisons. How would it be in the case of a chemist who kept many shops, or more than one shop ? Would you prevent that ?—If you ask me personally, I would prevent it. I should have a qualified individual.

773. You are speaking in your responsible position, now ?—Yes.

774. Would you prohibit that by Statute ?—Well, scarcely, but in that case I would provide, as we are providing in this little Bill, that the Committee will not allow us to allude to, that the name of the person who is actually managing the shop should be placed up.

775. If the name of the person actually qualified, who superintended the branch, was put up, you would agree ?—Yes.

776. How would that differ from the case of a public company, a joint stock company, if, in that case, the name of the person who compounded the drugs was put up on each shop belonging to the joint stock company ?—That would be doing what we are asking should be done.

777. The name of the person who compounded the drugs ?—The name of the actual man. If it can be so arranged that——

778. Forgive me ; you are denying the title of " chemists " to a joint stock company, and you point out that the evil of the use of the title is that there is lack of responsibility, apparently, in the place where the business is carried on. Now, I want to know where is the gain in the case of a man who is a qualified chemist, who has a number of branch shops, as compared with any gain or loss in the case of the joint stock company. You cannot point it out, can you ?—I think I can. My contention is that the person who is in absolute control of the business should have his name put up.

779. The proprietor of the business ?—It is not always the case that the proprietor is in actual control. You have put the case of a chemist who has half-a-dozen branches, say ?

780. Yes ?—It is impossible for that one chemist to exercise personal control in six different places.

781. I agree ?—Even if he has one place, which is apart from the central one, I would provide that at that place the name and address and qualification of the person actually in control and charge of that place should be put up, which you do not get now. We ask for that.

782. But

Mr. *Atherley Jones*—continued.

782. But you are asking for something more than that, and that is the point that I am on now. You are asking that the proprietor, who happens to be a chemist, who has numerous shops over which he can exercise no personal effective control, may enjoy the title of "chemist" as long as he puts up the qualifications and the description of the person who manages each shop. You would not interfere in that case? I want to know, and I am sure that the Committee would like to know, too, how you differentiate between that case and the case of a joint stock company, assuming always that they put up the name of the person who has actual charge and control?—It is impossible to examine a joint stock company, therefore a joint stock company cannot possess a title. The proprietor of the business that we are speaking of is a chemist.

783. Forgive me, but that is not the point. You quite understand, I am sure, that I am looking at the question of public safety. I want to see how the public safety can be promoted in the one case more than in the other?—You do not quite grasp the situation, I fear. The question that I had in my mind is the question largely of title, and I cannot understand why a body of men, none of whom have passed any examination, should be allowed to use a title which the neighbouring chemist across the way must get by examination.

784. That is another matter?—I do not want to be confused upon this question—would you mind putting your question again?

785. Certainly I will repeat it. I want to know how the interest of the public is more served in the case of one single natural person, who is the proprietor of many shops, over each of which he cannot exercise personal control, that it is in the case of a Joint Stock Company, which may own many shops?—One disadvantage, I should say, is with regard to prosecution. In the case of the individual chemist, when anything goes wrong by mistake or breach of the Pharmacy Act, the principal, the chemist, is prosecuted. In the case of a company the company cannot be touched. The assistant who has broken the law, whatever it may be, must be prosecuted. You cannot prosecute a company, but you may prosecute its servant. You can prosecute a chemist, but not his servant.

786. Forgive me, but you could not prosecute the proprietor—the chemist—any more than you could prosecute the company, unless you could bring home criminal negligence to the proprietor himself. You could only prosecute the person in control?—We do prosecute chemists for breaches of the law continually.

787. I daresay that you do, because they are in control?—When cases are brought to our notice, we prosecute.

788. You can prosecute the chemist in the contingency of his having knowingly employed a person who was incompetent for any reason to do his duty. I will put to you another question, and that will be the last that I shall ask, because I know that the Committee do not wish to pursue this at any great length. I have asked you about the individual chemist. You know that under the present law the individual chemist who is in control of a shop, and who is guilty of negligence or of any offence, can be prosecuted, whether he is a servant or a principal?—Yes.

Mr. *Atherley Jones*—continued.

789. That is the law?—Yes, I know that.

790. So you can always prosecute the chemist in charge of a Joint Stock Company's shop now?—Yes. May I comment upon that?

791. Certainly?—I see a serious distinction between a responsible proprietor and an assistant who is here to-day and gone to-morrow. An assistant may be simply hired for the season at a seaside place, and I can see an enormous difference between him and a responsible proprietor whose interests are bound up in his business and whose loss would be irretrievable in case of accident, whereas it would be practically nothing to a man who could simply move to another shop in another town.

792. You are also aware that the principals of the Joint Stock Company can be proceeded against civilly for the consequence of any negligence on the part of their servants?—Yes, I know that; you mean at common law for damages.

793. Yes?—Yes, anyone can be.

Mr. *Idris*.

794. Of course you are fully impressed with the fact that there is very much greater responsibility on the owner of a shop than there is on the mere servant?—That is what I was trying to explain to the Committee just now.

795. And that the owner of the shop is one who, with others, has spent millions of pounds in obtaining qualification?—Collectively that is so.

796. The company, according to the present proposition, would be able to assume the title without any payment, or going through any curriculum or any training whatever?—Yes.

797. You, of course, consider that a great injustice to the man who holds the title of chemist and druggist?—Yes.

798. Would it be a greater or a lesser injustice in that case than it would be if people were to assume the title of surgeon or dentist or apothecary or solicitor, or any of half-a-dozen other titles?—No; I think that our case is exactly parallel.

799. A company could not use those titles?—No, we think not

800. It is proposed now that companies should be able to assume the title of "chemists and druggists"?—Quite so; that is our trouble.

Lord *Saltoun*.

801. Is it so very costly to pass the examinations?—It is very much like the medical profession.

802. Involving an expenditure of millions of pounds?—That is in reference to the 15,000 on the register, probably. "Millions" is possibly an outside sum, but I think that Mr. Idris desired to show that it was an expensive procedure. You might say one or two hundred pounds for each class.

Lord *Monk-Bretton*.

803. I understood you to tell the Chairman that you had not facilities for prosecuting under

Lord *Monk-Bretton*—continued.

under the present law. Did I correctly understand you to say that?—I did not quite wish to indicate that. What I wanted to indicate was that we have not sufficient power in regard to finding out who the law-breakers are, that is to say that a person has no need to divulge the fact that he is not qualified.

804. If you had that power would you have the money to provide inspectors to enforce it adequately?—We have never had inspectors. The Society has had no system of inspectors. The Society confines its prosecutions so far to such cases as are brought under its notice.

805. By its own people?—By anyone.

Lord *Saltoun.*

806. The Registrar does it, does he not?—He is the official prosecutor, but we do not go from town to town trying to get convictions. We do not do that at all.

Mr. *Godfrey Baring.*

807. You have no investigation department?—No, we have not. Information comes from some provincial town, for instance, that a certain person is breaking the law, and our attention is directed to it; our difficulty is when we find that the man will not tell us his name—that is all. We get it eventually.

(*The Witness is directed to withdraw.*)

Mr. J. RUTHERFORD HILL is called in, and Examined as follows:—

Chairman.

808. You are assistant secretary to the Pharmaceutical Society in Scotland, are you not?—Yes.

809. Your experience has been mainly in Scotland?—Yes.

810. I see by your proof that your evidence will be with regard to the status of a chemist in Scotland, and the fact that the title is regarded by medical men and the public as a sign of the personal qualification of the person keeping open shop?—Yes.

811. Would you develop that in your own language?—I have made a note of it, and it perhaps may save the time of the Committee if your Lordship would allow me just to read it.

812. Will you give us the points please?—The title "chemist and druggist" in Scotland has always indicated a person possessing skill and knowledge in the dispensing of physicians' prescriptions. It has never been applied to a mere shopkeeper who sells drugs and chemicals. This is borne out by the Articles of Association of the Society of Druggist-Apothecaries in Edinburgh, founded in 1785. The original document bearing the signatures of the founders is in the possession of the Pharmaceutical Society in Edinburgh. These Articles of Association provide for imposing a regular apprenticeship and the passing of examinations on all entrants to its membership. It is substantially on the same lines as the Charter of the Pharmaceutical Society of 1843, by which it has been superseded in Scotland. The original signatures include apothecaries, chemists and druggists, and some of the businesses are carried on to the present day. The apothecaries attended classes and held certificates from the Royal College of Surgeons of Edinburgh. In course of time a differentiation of function in the class of apothecaries was brought about. One section specialised in surgery and became known as surgeon-apothecaries. The other section specialised in the dispensing of physicians' prescriptions and became known as druggist-apothecaries. William Flockhart, one of the founders of the well-known firm of Duncan, Flockhart & Co.; John F. Macfarlan, founder of the well-known firm of J. F. Macfarlan & Co.; and Thomas Smith, one of the founders of the well-known firm of T. and H. Smith & Co., all held certificates from the Royal College of Surgeons and they were known as "chemists and druggists." When the Pharmaceutical Society of Great Britain was founded, these men became members, and in 1852 became known as pharmaceutical chemists under the Pharmacy Act of that year. By the Pharmacy Act, 1868, those who were Associates of the Pharmaceutical Society became known as chemists and druggists, and the title was reserved to persons who passed the examination imposed on associates. Thus the old order of druggist-apothecary in Scotland was merged in the new order of pharmaceutical chemists and chemists and druggists under the Pharmacy Acts, 1852 and 1868. The representatives of the Society of Druggist-Apothecaries took a leading part in founding in Scotland the North British Branch of the Pharmaceutical Society. It is a general practice throughout Scotland for medical practitioners to entrust the dispensing of all prescriptions to chemists and druggists. They have an assurance that this may be done with safety, if the person to whom the dispensing is entrusted calls himself a chemist and druggist. Medical practitioners in Scotland attach considerable importance to the protection afforded to them and their patients by the use of distinctive titles by chemists and druggists. I have a letter which I produce from Professor Harvey Littlejohn, who is the occupant of the chair of Forensic Medicine in the University of Edinburgh. Perhaps I may be permitted to read the letter.

Chairman—continued.

813. What is it about?—It deals with the question of how the medical profession in Scotland regard the dangers involved in this question of the sale of poisons and the use of the title "chemists and druggists," and the value which they attach to that title as a professional qualification.

814. Did you say that the letter is from a doctor?—It is from Professor Harvey Littlejohn, who is Professor of Forensic Medicine in the University of Edinburgh, Examiner in Forensic Medicine and Public Health in the University of Oxford, Vice-President Medico-Legal Society, Joint Editor of the *Edinburgh Medical Journal*, late Medical Officer of Health for Sheffield, and Acting Police Surgeon for the City of Edinburgh.

815. Practically

Lord *Stanley of Alderley.*

815. Practically you tell us that this gentleman, with all his qualifications, agrees ?—Yes, shall I read this letter ? I shall be glad to put it in if you wish to see it.

Chairman.

816. Never mind. Has your attention been drawn to Clause 3 of the Bill that we are now examining ?—Yes.

817. You see from that that every shop in which poisons are to be sold must be conducted by the chemist and druggist himself, or by some other duly registered pharmaceutical chemist or chemist and druggist ?—Yes.

818. Do you not consider that that is a very great security to the public ?—I do. I agree with that.

819. With regard to the title of "chemist," I do not know whether you have read the evidence given to us by Mr. Boot, who stated that it was a very considerable trade asset ?—Yes, I have read it.

820. His firm have enjoyed it for 20 years ?—I am not aware that they used it for that time, my Lord.

821. He said that they had. You are not well acquainted with the country districts of Scotland, I suppose, are you?—Yes, my duties take me over the whole of Scotland.

822. Do you not find that in some parts of Scotland, the northern and western, there are great distances which farmers have to go to obtain the sheep-dip which they require ?—No. Most farmers in these districts get them from the large centres like Leith, Greenock and Glasgow.

823. Yes, but I am talking about the western islands, for instance. You do not suppose that farmers there go to Greenock for sheep-dips, do you ? Many of them are great distances from any town ?—The method by which these parties usually obtain supplies of sheep-dip is this: they send their wool to the large brokers in Greenock or Glasgow and in Leith, and at the early part of the season the brokers send empty sheets for the wool, and along with the sheets send a supply of dip for the whole season. That is mostly how they are obtained, so that the farmers do not have any difficulty at all in obtaining them. As a matter of fact also all of them attend the market towns where these dips are on sale by chemists and others.

824. But a man might require dip immediately, and there might be no market town within a great distance ?—Well, as far as my knowledge goes, and I have made special inquiry, there is no difficulty experienced. I have with me the results of an inquiry conducted in every district in Scotland. I do not find that there has ever been the slightest complaint or the slightest difficulty on the part of any farmer in Scotland with regard to getting an ample supply of dip.

825. That is in direct contradiction of the Board of Agriculture evidence here ?—I am prepared to give the evidence for that. I should say that I have brought with me maps of Scotland, showing the distribution of qualified vendors of poisons throughout the whole country. A glance makes it quite clear that there are great facilities. (*The maps are handed to the Committee.*)

Chairman—continued.

Lord *Stanley of Alderley.*

826. You mentioned three distinct chemists who in ancient days founded your Society, and who are now known as Flockhart & Co., Macfarlan & Co., and T. and H. Smith & Co. ?—Yes.

827. Are they now doing business as chemists under those titles ?—Two of them have ceased to do that, but one of them, Duncan Flockhart, is still doing it.

828. Do they put over their shops "Flockhart and Co., Chemists" ?—Yes.

829. Surely if they put "and Co." that is making it a partnership title. That is not an individual title, but that of a partnership ?—The partners must be all qualified individuals; it is just like the case of our firm of Tods, Murray and Jamieson, W.S. All the partners in that firm must be qualified lawyers before they can use the title "Writers to the Signet."

830. You say that every one of the members of these firms who describe themselves as "Co." is a qualified chemist ?—Yes.

831. If one of these people died and left the business to his sons, would it cease to be "Co." if one of the sons was not a chemist ?—Yes. The son, if he was not a chemist, could not be a partner in the firm.

832. Is that by Scottish law, or by practice, or what is it by ?—That is the practice, and the universal practice. It would be regarded as very improper to depart from it.

833. The son who was not a chemist, I suppose, might take a half of the profits ?—One cannot tell where profits go to, but he could not be a constituent partner in the firm.

834. The general law at present applies to Scotland that no person who has not passed the examination for a chemist and who is not a qualified person can make up a doctor's prescription ?—That is not so.

835. In Scotland ?—No, nor in England. Any person may make up a prescription, if it does not contain a scheduled poison.

836. I want to see if I understand your evidence. You will correct me if I am wrong. You say: "If he carried on such a business, dispensing all physicians' prescriptions, except those containing poisons, and used the title 'Chemist and Druggist,' without employing a duly qualified manager, he would be struck at by Section XV." What is Section XV. ?—That prohibits the sale of poisons, or keeping open shop, or the using of titles, and if a person who is not a chemist and druggist keeps a shop and dispenses all kinds of medicines (and the great majority of physicians' prescriptions do not contain poisons), he may do that without being touched, but if he puts up the title "Chemist and Druggist," he can immediately be punished, because it is a punishable offence to use the professional title "Chemist and Druggist" in connection with a place where physicians' prescriptions are dispensed, although no poisons are sold.

837. If he employed a qualified manager, he is

Lord *Stanley of Alderley*—continued.

is still liable ? It does not exempt him from punishment ?—Exactly, the individual is not exempt, but the company is. The difference is this : in Scotland John Brown could not make up physicians' prescriptions and call himself "Chemist and Druggist," but the House of Lords Judgment goes so far that John Brown may go into partnership with Mrs. Brown, and may use as his trade name "John Brown, Chemist and Druggist." He may trade under any name that he likes. He may call himself "John Brown, Chemist and Druggist," and we cannot touch him. We cannot find out that that private partnership exists until we bring the case to court.

838. That is another point. I was not going into that. I understand from you that the Scotch law goes further than the English law ?—Yes.

839. Because it not only allows a company to describe themselves as chemists, but it also allows a private partnership to do so ?—Yes, so that it is a much more serious question in Scotland.

840. That is the law at this minute ?—Yes, because of the defect in the Act of 1868.

841. We are dealing with the law as it is, and that is the law now ?—Yes, and the explanation is the defect we wish removed.

Mr. *Idris*.

842. Can you tell us anything of the origin of this agitation about poisonous compounds ?—Yes, I believe that it originated in Scotland, as the result of communications made to us by the Crown Authorities in a case of poisoning which took place in Crieff, where a weed-killer had leaked in transit on the railway and poisoned some bags of sugar. In consequence of that communication from the Crown Authorities, we made inquiry and instituted some proceedings. The matter became prominent, because we prosecuted a well-known firm in Scotland, the firm of Alexander Cross & Sons, who were selling a preparation of which I have a sample here (*producing the same*). This was purchased by a young lad who went in from the street, who had no connection with horticulture or agriculture. He saw this in the window and he bought it for 3s. 6d.

Lord *Saltoun*.

843. What is it called ?—It is called Ballikinrain Ant Destroyer. It is a mixture of white arsenic and golden syrup, in the proportion of 24 grains to the ounce of white arsenic. There is about an ounce and a quarter of white arsenic in the bottle, which is sufficient to poison 300 or 400 people.

844. How much is it ?—It is sold at 3s. 6d., but the price of the ingredients is only 7d.

Mr. *Idris*.

845. Is not the true inwardness and secret of all this agitation the profit made by manufacturers of poisonous compounds ?—Within recent years there has been a very great development of the system of putting up common articles under trade mark names, so that only particular persons can sell them. That makes a monopoly for those persons. Anyone can sell white arsenic and anyone can sell golden syrup, but no one can sell this compound which I have here, except Alexander Cross & Sons, and therefore they are able to demand a very exorbitant price for a very common article.

Mr. *Idris*—continued.

846. Is it an advantage to any portion of the public, or to dealers, to the same extent that it is an advantage to the manufacturer, to push these things ?—I should think that it is a very great prejudice to the purchaser, and a very great danger and no advantage whatever.

847. Can the purchaser do better with non-poisonous compounds than with poisonous ?—Very much better.

848. Are poisonous weed-killers necessary from any point of view ?—I have made a special study of poisonous weed-killers. I have a sample *here* which may interest the Committee.

Chairman.

849. We have had a great deal of evidence about this, and I do not think we want that ?—*This* is a sample which was reported to me and which I examined the other day. (*The Witness produces the sample.*) It is a sample which shows weeds growing on the arsenic-loaded soil. I have separated the arsenic. *That* is the arsenic which has been separated. It came to me in my capacity as an analytical chemist. That is the reason why I had it. The portion of ground was watered with the weed-killer in August last.

850. We cannot go into all these points. We have nothing to do with them ?—I was asked by Mr. Idris whether this was of any value to the public. It was merely in answer to that.

851. But we have had that already, and we cannot go into all these questions ?—Very well, my Lord.

Mr. *Idris*.

852. Is it not a fact that several non-poisonous compounds which contain ordinary articles such as salt, common soda and washing soda can be used with much greater advantage in effect and in cost than these poisonous compounds ?—Yes. In this case the washing soda was the substance that killed the weed, and any alkaline chloride or alkaline carbonate or hydrate completely kills weeds at once.

853. The safety of the public is involved ?—Yes.

Sir *John Batty Tuke*.

854. Are there a number of these poisonous insecticides on the market ?—Yes, the market is flooded with them just now.

855. You say that that sample contains upwards of an ounce of white arsenic ?—An ounce and a quarter of white arsenic.

856. Is the arsenic easily separated ? What else is it made up of ?—Golden syrup. It tastes like honey.

857. So that the arsenic is suspended in it ?—Yes.

858. Is there any other form of insecticide that you know of ? My gardener got hold of a mixture of arsenic and cheese ?—Yes. That is a very familiar article which is used at farm places for the destruction of vermin. I think that I have a sample of it here. (*Producing the same.*)

859. At any rate it is a mixture of cheese and arsenic, I believe ?—Yes.

Sir *John Batty Tuke*—continued.

860. Is the arsenic easily got out of it?—That is a mixture of 50 per cent. of white arsenic in powdered cheese, ready for use.

861. Can the arsenic be easily separated from the preparation?—Yes, it can be taken out with water.

862. Articles like this and similar articles can be obtained by the public from an ordinary ironmonger's shop?—With the utmost ease, and without any question or hesitation.

863. Do you think that there is any danger to the public in that case?—I think that there is very great danger.

864. You say that that is illustrated by a case which happened?—Yes, where weed-killer was the poison.

865. Is there any safety to be got, do you think, by restricting the sale of these articles to chemists and druggists?—Yes. I think that the evidence on which the House of Commons based the Act of 1868 is a proof to that effect.

866. There have been a long series of poisoning, if I recollect rightly?—Yes. With regard to the particular sample which I showed, there was a case of the poisoning of hens by picking up gravel with arsenic in it. A large number of dogs, fox-hounds and domestic animals have been poisoned in various parts of Scotland.

867. You hold that the chemist and druggist, being a man accustomed to handle poisons, and to think of the danger connected with them, is a safer person to whom to entrust the sale than the ordinary tradesman is?—Yes. The handing out of the poison is really the critical act in the sale of poison.

868. How do you mean?—I mean that it does not matter at all how a poison may be put up. The danger arises after the poison reaches the hand of the purchaser, and the policy of the law is that no poison shall reach the hand of a purchaser, except through the hand of an individual who has been specially trained, and who is certificated by the law as a fit person to perform that act, because the warning is required at the moment of the sale of the poison, and it must be given to the individual who purchases.

Chairman.

869. That is secured by Clause 3 of the Bill?—Yes, but it is abolished by Clause 2.

Sir *John Batty Tuke.*

870. Do you hold that if an Act was passed by which the almost indiscriminate sale of poisons, in the sense of their not being sold by a pharmaceutical chemist, was adopted, that would be tantamount to a repeal of the poisons clauses of the Pharmacy Act?—Undoubtedly. It repeals the foundation principle of the Act.

871. Reference has been made here to the geographical distribution of chemists' shops in Scotland. There are large areas in which there are no chemists' shops?—Yes.

872. May I ask you if it is within your knowledge, whether *those* are sheep farms or deer forests (*pointing on the map*)?—These are deer forests.

Sir *John Batty Tuke*—continued.

873. This is the north. There are a few sheep farms?—Along the coast.

874. As to obtaining sheep-dip in an out-of-the-way part, in the first place, as you have said, in most cases the sheep-dip is sent up with the sheets for the wool as a regular transaction, year by year?—Yes. The wool is sent down, as I have explained, and the sheep-dip is sent up.

875. Yes?—It is obtained in that way. Then, at the annual wool sale, at Inverness, you have at least 20 representatives of makers of dips going through the market, and they book all the orders of the farmers who frequent that wool sale. Bookings are taken at the market for the whole season. They are all supplied in that way.

876. Supposing that a sheep-farmer up in the Lews was to fall short of sheep-dip, and he wanted some in a hurry, how long would it take him to get it from Glasgow, if he telegraphed for it?—He would get it next morning.

877. I want to bring out from your experience whether there is any real difficulty whatever in getting sheep-dip to any part of Scotland within 72 hours?—Not the slightest.

878. In the south of Scotland you have a large sheep district?—Yes.

879. That is dotted all over with chemists' shops?—Yes. The trade is almost entirely in the hands of registered chemists in all that district. I ought perhaps to say that the supplying of sheep-dip to farmers is a thing which we never have interfered with, and which we never propose to interfere with.

Mr. *Vincent Kennedy.*

880. With regard to your opposition to this Bill, would it be withdrawn if an undertaking or assurance were given that an unqualified man would not be planted down where there was already a qualified man?—I am afraid that we could not very well withdraw our opposition, because our first point is that the Bill is unnecessary; but I quite agree that if the Bill is passed, it would certainly minimise the evil very considerably if no licence were granted to any unregistered person, except in a remote district, at a distance from any qualified person. I am afraid that we could not go the length of withdrawing our opposition to the repeal of the principle of the Act of 1868 which this Bill proposes.

Mr. *Godfrey Baring.*

881. I understand that you travel about in the Highland districts of Scotland?—Yes.

882. You meet many Highland sheep-farmers?—Yes, quite a number.

883. You have never heard any complaint of inconvenience arising from their being unable to get sheep-dip?—No. I have not only made personal inquiry with regard to that, but I have inquired through all our Divisional Officers in Scotland, farmers, and other parties who are likely to know, and there is not a shadow of a shade of complaint by any farmer in any part of Scotland.

Lord *Monk-Bretton.*

884. On that point, have you read the evidence of Mr. Middleton ?—Yes.

885. Do you remember the point that Mr. Middleton made, that when the dispenser of the poison is a long way off, people store poisons, and that the storing of the poisons is more dangerous than getting poisons from a shop ?—My experience is that in all those districts the farmer always stores the dips at the farm, wherever he gets them from.

886. Whether he can buy them in the village a mile away, or has to telegraph to Glasgow for them, does not matter ?—It does not matter.

887. He would store them equally in either case ?—Yes. It ought to be remembered that the dips recommended by the Board of Agriculture can be got from anybody. The materials are not poisonous, and can be sold by anybody.

888. I am speaking of poisonous dips ?—We think all poisonous dips are wrong. We object to them altogether. We do not want to sell them ourselves, and we do not want anyone else to sell them.

889. But poisonous dips are cheaper than non-poisonous dips, are they not ?—No. They are very much more expensive, because they are mostly, or all, trade-mark articles.

890. I asked the question of somebody else, and I was told that it was the other way up ?—They are much more expensive than non-poisonous dips. Cooper's dip, for instance, is a well-known one. Cooper binds all sellers of his dips to sell them at face value. They cannot compete in regard to them. It is the same with Robertson's dip. Mr. Robertson will not supply his dip to any vendor who refuses to conform to the sale at face value.

Lord *Monk-Bretton*—continued.

891. On the whole, poisonous dips are more expensive, then ?—On the whole, they are more expensive. The ingredients are much cheaper, but the dip as put up is more expensive, because it is put up under a trade-mark name.

Lord *Lawrence.*

892. We have heard that in many parts of the kingdom, the law has been evaded, and that many of these poisons have been sold, but no prosecution has taken place. It has not been worth while to prosecute. Is that the case with Scotland or Ireland at all ?—No. I think that that is a misapprehension. As I have explained, we never prosecute, and I do not think we ought to prosecute in the case of the supplying of poisonous articles to a farmer or to a horticulturist for use in those industries. We regard these as parallel cases to the supplying of poisonous articles to a professional photographer, for use in his industry. Such cases are exempted as coming under the definition of wholesale transactions. They are outside the restrictions of the Act.

(*The Witness is directed to withdraw.*)

[Adjourned for a short time.]

Mr. LAWRENCE CLARKE TIPPER is called in; and Examined.

Chairman.

893. You are a veterinary surgeon of Birmingham, are you not ?—Yes, my Lord.

894. You appear before us with a view to showing the way in which the sale of cattle medicines and sheep-dips will be affected by the proposed Bill ?—Yes, that is so.

895. Would you enlarge upon that a little, please ?—As I am advised, and as we believe, the passing of the Bill in its present form would be very disadvantageous to the users of animal medicines, and would be a very serious injury to those who make them. I am speaking of those medicines in particular which contain poisons, and which appear in the Schedule of the Act. I might take a very extreme case—the case of a small man, who lives up a back yard, and who keeps a few poultry. He may want to get some capsules for those poultry. At the present time, he goes to some specialist in poultry preparations and medicines, and gets capsules containing Easton's Syrup or Parrish's Phosphates, or something of the sort, and under the Bill, I am afraid that he would have to go to a chemist for them. He would probably have to pay more money for them, as well as its being in some instances very inconvenient, because in remote places there might not be a chemist at all handy for him. That is an extreme case. But in other cases, those of owners of animals on a large scale, the custom of my firm is to send out travellers all over the country. They call personally on the would-be users, or they meet them at agricultural shows or fairs, and they book orders for what they require for periods covering from three to six months. They call on them again at the end of the time, and take their further orders.

Chairman—continued.

896. But how is all that stopped by this Bill ? I do not see ?—It will mean that where any medicine is used, which contains poison, which is scheduled under the Act, they will have to go to the chemist for them. A man keeps medicine in store in case his horse has colic, for instance. He buys it from my firm, or from other firms, and keeps it handy for use. If this Bill passes, he will have to call in a qualified veterinary surgeon, sending a considerable distance, perhaps, for him, or he will have to go to a local chemist.

897. I hardly see how your contention is directed against the Bill ?—I am not against the Bill in that sense. My wish is that a proviso should be inserted in the Bill to prevent the happening of what I suggest will happen. I suggest an amendment of the Bill, which will exclude animal medicines from its operation, or medicines for birds.

898. Is

Lord *Lawrence.*

898. Is not sheep-dip an animal medicine?—I hardly regard it in the ordinary sense as a medicine. You speak of medicine as more for internal use.

899. Yes?—At the same time, we are makers of sheep-dip as well, and I think that the Bill is all right with regard to sheep-dips, as far as that is concerned.

Chairman.

900. You are not against the extension of the sale?—Not at all, my Lord. In fact, a striking case came before me yesterday. I was attending a meeting of the Executive Committee of the Worcestershire County Council, and they passed a rule or regulation under the Sheep Dipping Order, whereby a farmer is only called upon to give 12 hours' notice of his intention to dip sheep. Now, in those circumstances, if a man who is giving 12 hours' notice does not happen to have a sheep-dip handy, and he lives a considerable distance away from where sheep-dip is supplied, he will be at a disadvantage. I think that the sale of sheep-dips might be extended.

901. Do you see no danger in ironmongers, for instance, selling them?—I see no danger at all. In my experience in travelling about the country, I have seen myself sheep-dips sold and handed about very freely in ironmongers' shops and chemists' shops equally. I have seen packets of dip handed over in a chemist's shop without a word.

Lord *Lawrence.*

902. In stores, too?—I must confess that I have not had much experience of stores. I have been to chemists' shops, not for the purpose of selling things, and I have seen the transaction taking place on market days. I have seen sheep-dip scattered all about the shop, on the doorstep of the shop, and in various other positions.

903. On the whole, you think that the agricultural community require greater facilities for obtaining sheep-dip?—I think they do, my Lord.

Lord *Stanley of Alderley.*

904. You think that there should be a freer hand in the sale of drugs for horses and cattle?—Yes.

Lord *Monk-Bretton.*

905. You mean that you would like to see these medicines for animals for internal use sold by ironmongers?—I do not confine it to ironmongers.

906. Sold by anybody?—Certainly, anybody who has a proper qualification. [*In referring to sellers in this reply, I had the makers in my mind rather than the intermediary, whether shopkeeper or traveller.*]

Lord *Stanley of Alderley.*

907. What do you mean by "proper qualification"?—I mean by it, persons who have some knowledge of the agents which they are putting together.

908. That would involve, would it not, nobody selling them without some form of licence?—I do not think that is necessary.

909. If you wanted to secure the proper qualification of those who sell these things, how would you secure it without?—I should not like to make a suggestion, or be invidious on that point. I leave that to the Committee. I am a member of the veterinary profession, and I believe that, as far as possible, the greatest amount of liberty should be given in the sale of these preparations. I do not believe in monopolies. I might say that I have just been fighting the very same question, although I am a veterinary surgeon, in the interests of chemists, on the Veterinary Surgeons' Amendment Bill, and I am glad to say that we have been successful in defeating it, and an objectionable clause, which would have been equally disastrous to chemists as well as to ourselves, has been withdrawn.

Lord *Stanley of Alderley*—continued.

910. I only want you to explain how you would secure proper qualification. You first of all say that you are in favour of as large a measure of free trade in the sale, as possible, and then you say that you think the sale should be limited to people who are properly qualified. I want to know how you would bring your limitation in, and in what way you would ascertain the qualification?—I do not know that I should limit the qualification beyond the fact of people having been engaged in the business.

911. But a man must begin some time, must he not?—You have apprenticeship, and so on, to go through. I am not making a suggestion with regard to starting the thing *de novo*. If I made any suggestion, it would be regarded, I am afraid, as trying to create a monopoly for those vendors who are already in existence, and I do not wish for a moment to do that.

912. You wish to stick to both of your propositions—free sale, and also the qualification of the seller?—I mean to say that I do not agree that a tramp, or the man in the street, should have the privilege of making up a bottle of medicine, and saying: "This will do for a horse," or, "This will do for a cow." I cannot suggest where the qualification should come in.

913. Then you cannot help us much?—I may say that I have been in the business ever since I was a boy, and that never in the whole course of my life have I heard of a case of misadventure in the use of the medicines.

Lord *Saltoun.*

914. Have you seen the Bill?—Yes.

915. Which part of the Bill do you object to?—I am speaking as I am advised legally. I am not a lawyer, but I am advised that the clause with regard to keeping open shop (Clause 3) would, in effect, prevent all the present vendors of animal medicines from selling, except in the shop, and that it would apply to a stand in an agricultural show, for instance.

916. Look at the Bill yourself, and read the words which you object to?—Clause 2, Subsection 1: "So much of the Pharmacy Act 1868 as makes it an offence for any person to sell or keep open shop for the sale of poisons unless he is a duly registered pharmaceutical chemist." I suggest that general terms should be inserted somewhere in the Bill, something like the words of the Act of 1868, which exempt patent medicines. If after the words "patent medicines" were inserted

Lord *Saltoun*—continued.

inserted "medicines for animals or birds," I think that would meet the difficulty.

Mr. *Idris.*

917. You know the Drugging of Animals Act?—Yes.

918. You appear inclined to make it much more easy to administer poisonous drugs to horses and other animals?—No. That applies to administering, not to selling.

919. The drugs are bought for administering, are they not?—They may be so. A man buys poison for the purpose of committing suicide, but it is not sold for that purpose.

920. What are these things that are sold for animals and birds, that you want free sale in?—I had a number of samples, but I have not brought them up. You have had some experience of ordinary colic drench, which may contain laudanum or morphia in some form or other.

921. You spoke of some things that are supplied for birds. What are those things?—I did not know that you wanted that repeated. I spoke of capsules for birds, poultry or pigeons.

922. Do you say that people are obliged to go to a chemist for these?—I do not say that they are obliged to do so now, but we are advised that under this Bill they would have to.

923. Do they go to chemists for them now?—Some few specialists sell them, but not many. Very few chemists know anything about animals or birds.

924. Do you think that the present state of the law is not objectionable?—I am not dealing with the existing law. If you do not alter it, we are satisfied with it. I am dealing with the Bill, which is before you.

925. You are a maker of sheep-dips?—Yes.

926. Poisonous or non-poisonous?—Both.

927. You spoke a short time ago about farmers only being required to give 12 hours' notice of the intention to dip their sheep?—I spoke of a particular county, the County of Worcester.

928. Is that very exceptional?—I do not know that it is. You must bear in mind that the fact is that the compulsory order for sheep-dipping has only lately come into operation, and the counties have scarcely felt their way yet. It is an experience of 12 months or so of the working of the Act that has caused the alteration.

929. Three days' notice is the period, is it not?—That was the period before. As I have stated, the Executive Committee met yesterday, and at the request of the farmers it was altered, although, in my opinion, the required notice is a farce.

Mr. *Idris*—continued.

930. It was altered in the County of Worcestershire to 12 hours' notice?—Yes.

931. At the request of the farmers?—At the request of the farmers. On the Executive Committee that was adopted unanimously, without a dissentient voice.

932. It would seem that they could get hold of these poisons very easily then, if only 12 hours' notice is wanted, surely?—No, that was not the point. The point was the great inconvenience in regard to dealing with the notice. As I said in parenthesis, I think that the required notice is a farce, because if once a man has given notice under the Act, and does not dip, he need not give another; he can dip when he likes.

933. You said that you had been in chemists' shops, not for the purpose of selling. What was your purpose? Are chemists your agents?—No.

934. Who are your agents?—Our travellers.

935. You send direct to your customers?—Yes. With regard to chemists as agents, that is another rather important point in reference to the Bill upon the question of favouring a certain individual at the expense of others. If chemists were empowered to get the monopoly entirely into their fingers it would be rather unfortunate for those manufacturers who do not deal with chemists but who deal direct with the consumer as we do.

936. You do not want agents at all?—We can do without them.

937. There is no difficulty in the sheep dipper or the owner of the sheep getting the dips from you by telegram or in any other way, I take it?—They do not usually do it in that way. They order in advance the medicines or sheep-dips which they may require. They order them from the traveller when he comes round.

938. There is no difficulty in your supplying now?—We will supply any quantity. We only want the orders. Might I submit this poison bottle to the Committee? Objection has been raised with regard to the way in which poisons are dispensed or sold. *This* is a registered design bottle. I think that anyone picking up this bottle in the dark would know that he had something special.

Chairman.

939. We will take it for granted that precautions are taken with regard to the sale of poisons?—Yes, I will leave the bottle with the Committee.

940. I do not think that we need to trouble you to do that?—You do not require the bottle? Very well.

(*The Witness is directed to withdraw.*)

Mr. SAMUEL GIBSON is called in; and Examined.

Chairman.

941. You are President of the Chemists and Druggists' Society of Ireland?—Yes, I am, and I am a wholesale druggist in the city of Belfast. I am also interested in farming. I have gone in largely for that, and I have reared cattle and sheep for show purposes.

942. Do you consider that you represent the views

Chairman—continued.

of chemists and druggists generally?—Yes, I do.

943. What is their view of the Bill, so far as you know it?—They think that the grade of registered druggist was established by the Irish Pharmacy Amendment (1890) Act to create a grade of sellers of poisons throughout Ireland. This grade has increased largely, and they

Chairman—continued.

they think that it has supplied very largely the needs of Ireland, and it would not be fair that a third grade should now be created to take its place, and all that is wanted is perhaps a little more time to cover the whole country. It is only in the most out-of-the-way places that there is no druggist at the present time.

944. Are you aware that 15 counties of Ireland have petitioned for the extension of the sale of poisons to others than chemists ?—I am aware that that statement has been made, but I would controvert the statement.

945. It was made by Mr. Russell ?—Yes. I also know a good deal about Ireland. I have travelled a good deal through it, and I do not think there is the great grievance that the Agricultural Board have made out.

946. You know that sheep dipping is made compulsory in Ireland ?—Yes. I have had to dip my own sheep.

947. Are you not aware that there are places in the West of Ireland, Mayo particularly, where men have to go great distances to get the dip, because chemists are so far off ?—Those people are always going into the market towns. They go weekly, and it is quite convenient for them to get sheep dip when they are on their weekly visit. We say that it would be a great deal more inconvenient to them if one of these licensed men should displace the druggists, because in that case a man would be able to get his sheep-dip, but he would not be able to get his cattle medicines and other things which he might require in a hurry, such as laudanum and chlorodyne, if a cow or a horse took ill.

Lord *Saltoun.*

948. You mean that the chemist would leave ? Yes. I am here to say that we are afraid that that would be the result.

Chairman.

949. Have you read the Bill ?—Yes, I have.

950. May I draw your attention to Subsection 2 of Clause 2, which says : " Before granting any licence under this section, the local authority shall take into consideration whether in the neighbourhood where the applicant for the licence carries on or intends to carry on business, the reasonable requirements of the public with respect to the purchase of such poisonous substances as aforesaid are satisfied " ?—We consider that the words " reasonable requirements " are very indefinite. This raises another point, and that is, that we do not think that the County Councils would be the proper bodies to grant these licences.

951. May I also ask your attention to Subsection 3, in which it says that : " His Majesty may by Order in Council make regulations as to the granting of licences under this section and the local authorities by which such licences may be granted." So that really the power rests with the Privy Council ?—Yes.

952. Perhaps you have not considered that ? —Yes. That might minimise the difficulty, but I do not think it would do away with it altogether.

953. It seems to me to be very carefully guarded against ?—It might minimise the evil.

Lord *Saltoun.*

954. You say that a body is going to be created that will take your place. You mean, I suppose, that it would enter into competition with you really ?—Yes. You see, we are different from England, Scotland, and Wales, in so far as there has been a grade created for the express purpose of selling poisons. This grade of druggists are not allowed to make up prescriptions. They are really poison sellers, and you do not want another grade of poison sellers.

955. They would enter into competition with you ?—Yes, certainly. In regard to the point that I was on with regard to the County Councils, we think that the County Court Judges would be a more satisfactory body to grant the licences. I may say that I have had an interview with Mr. Russell upon that point, and I think that he is prepared to withdraw his evidence with regard to that and also agree with me.

Chairman.

956. He has not said so, has he ?—He has told me that he will do so.

957. Do you think that the County Council should appeal to the County Court Judge ? How would that do ?—I think that you had better just have the County Court Judge, because the County Council is made up largely of these very traders that you would be registering. Two Witnesses were examined from Ireland. Mr. Russell himself, in his evidence, I think, admitted that there was a possibility that they might do such a thing as he called a " job," and the other Witness from Ireland, from the Agricultural Society, was frightened of it too, because he wanted an appeal to the County Court Judge.

958. It rests with the Privy Council to settle who shall be the authority, and we have nothing to do with that ?—Very well, my Lord.

Mr. *Idris.*

959. What kind of dips do you find to be the most effectual for scab ?—From my own experience I have found the phenol dips the more satisfactory. Some years ago I had an outbreak of scab among my sheep, and I tried the arsenical dips, and found them comparatively a failure. It was only by the carbolic dips that I really got it eradiacted.

960. Mr. Russell told us that the Board of Agriculture in Ireland had recommended three dips as the preferable dips to be used ?—Yes.

961. Are you aware of what kind they are ? Are they poisonous or non-poisonous ?—They are all non-poisonous dips. I have seen the circular issued by the Department of Agriculture.

962. Would there be any difficulty in getting poisonous dips in preference to them, if necessary ? —As I deal in poisonous dips, I have found no difficulty ; but, in my experience, I have never heard anybody complain about not being able to get the dips, and I am regularly out at the different shows, fairs, and other places, where I meet the farmers.

963. Who, in your opinion, has originated this agitation for free trade in poisons ?—I think it is largely due to the fact that these carbolic dips are greatly in favour with the people of Ireland, and that the sale of arsenical dips has been

Mr. *Idris*—continued.

been decreasing. I think that it is the proprietors of some of these arsenical dips who have really been agitating this question.

964. You are sure that there is no difficulty whatever in their getting any non-poisonous dips, or even poisonous dips, if they are required?—That is so.

965. What is the notice that is usually given in the case of dipping?—Three days; but you must remember that it is the farmer himself who has to give notice to the authorities that he is going to dip his sheep, so that the authorities may send somebody to see it properly done if they wish to do so.

966. These sulphur and phenol dips are cheaper for the users of them, but they do not allow such a large profit to the manufacturer as the poisonous dips, do they?—That is so. A shilling package of Cooper's dip will do 20 sheep. If you used one of the other dips, 20 sheep could be done for 6d.

967. What are the classes of people that would be likely to be agents for these poisonous dips in Ireland, apart from the druggist? What sort of tradesmen are there in these villages who would be likely to take up the sale?—Really, in the villages that are not occupied by druggists, there are what you might almost call a class of petty shopkeepers—general store-keepers, in fact. They are what we call ordinary country shops, selling a variety of goods, groceries, hardware, drapery, &c.

968. What are these agents of the agricultural co-operative societies of Ireland, who want to sell these dips?—I saw Mr. Smith's evidence, and from what I know I think that the bulk of the associations that he spoke of are really co-operative creamery societies.

969. So that there is a danger of the arsenic getting into the cream?—Well, it would be rather troublesome if it did.

Mr. *Godfrey Baring.*

970. I think you said that you found in your own case that carbolic dips were efficacious?—Yes.

971. Would they not be poisonous dips?—Not to the same extent.

Mr. *Godfrey Baring*—continued.

972. It is not a scheduled poison?—No, it is not a scheduled poison when mixed with other ingredients. Preparations of carbolic acid are not on the Schedule. There is another point about carbolic dips also, and that is that they do not destroy the wool—in fact, they rather improve the quality of the wool—whereas arsenical dips do destroy the quality of the wool.

Lord *Monk-Bretton.*

973. In Ireland, who are the authority under the Food and Drugs Act?—The local authority—the town council, for example, in the towns.

974. Or, with regard to the county, the County Council?—Yes, the police are the inspectors.

975. They have inspectors?—Yes, they have.

976. County Court judges have not?—No, they have not, but by this Act you are really creating dual authority, you see. It would be the duty of the Pharmaceutical Society to investigate with regard to the sale of poisons in certain cases and the police in others, which would be unsatisfactory. There is just one point, my Lord, which Mr. Russell, I think, would like mentioned perhaps, and that is with regard to the sale of ether in Ireland. Ether is scheduled at present as a poison, and its being scheduled has done a wonderful work in Ireland in preventing people from drinking it. It would be almost a calamity if the scheduling of ether was done away with, and people were allowed to go back to ether-drinking again.

Lord *Saltoun.*

977. Carbolic acid is rather a dangerous thing, is it not?—It is, but not in the way it is sold as sheep-dips.

978. Coroner O'Callaghan, of North Donegal, points out that a lady poisoned herself with it after stealing a bottle of it out of her husband's pocket?—Yes; that was the pure carbolic acid she used. In sheep-dips it is mixed with soft soap, and that sort of thing, and it is not in a form in which people would be likely to take it.

(*The Witness is directed to withdraw.*)

Mr. SOMERS LEWIS is called in, and Examined as follows:—

Chairman.

979. You are the solicitor to the Army and Navy Co-operative Society, are you not?—Yes, my Lord.

980. And also to the Company of Chemists Associations, Limited?—Yes.

981. You are well acquainted with all the Acts that have been passed or attempted to be passed upon the subject with which we are dealing?—Yes, I have seen them all.

982. You are satisfied, are you not, with the clause in this Bill in reference to the qualified assistants who are to dispense the drugs?—Yes, certainly.

Chairman—continued.

983. You think that that is both requisite and advisable, do you not?—Yes, quite so.

984. That is Clause 3?—Yes.

985. That clause is very nearly the same as the clause in the Bill of 1906 which the Lord President brought forward, is it not?—Yes, I think it is practically the same.

986. Is there any other point that you wish to speak upon?—No, except that companies are not touched in this Bill as it stands now. An amendment which has been described as Lord Ebury's amendment was moved to the 1906 Bill in the House of Lords, which provides for companies

Chairman—continued.

companies carrying on the business of chemists and druggists. That amendment would do away with the objection (I do not think that there is very much in it) that companies cannot be prosecuted for infringement of the Act. Under the amendment they would carry on the business and be able to style themselves "Chemists and Druggists," and they would be liable to prosecution under Sections 1 and 15 of the Pharmacy Act of 1868.

988. It says, "Subject as aforesaid Sections 1 and 15 of the Pharmacy Act 1868 shall apply to a body corporate in like manner as they apply to an individual"?—Quite so. That would do away with the objection.

989. If an assistant commits some offence, then, not he, but the company, may be prosecuted?—Certainly.

Lord *Stanley of Alderley.*

990. Do you propose that?—No. It is proposed in the clause moved by Lord Ebury in the House of Lords.

Mr. *Atherley-Jones.*

991. You refer to a company being prosecuted for penalty?—Yes, for penalty.

Chairman.

992. May I read to you the clause as drafted with Lord Ebury's amendment? "A body corporate may carry on the business of a pharmaceutical chemist or chemist and druggist and may use the description of chemist and druggist or the description of chemist or druggist if in every premises where the business is carried on the business is bona fide conducted by a manager or assistant being a duly registered pharmaceutical chemist or chemist and druggist as the case may be and if the name of the person so qualified is conspicuously exhibited in the shop or other place in which he so conducts the business; subject as aforesaid Sections 1 and 15 of the Pharmacy Act 1868 shall apply to a body corporate in like manner as they apply to an individual." That is satisfactory to your clients?—That would be satisfactory to companies and to the stores.

Lord *Stanley of Alderley.*

993. Would the effect of that clause be to enable a limited company to be indicted for manslaughter if their responsible man made up a prescription wrongly and killed a person?—I think that they could be prosecuted for that.

994. For manslaughter?—I think that the directors personally could be prosecuted if they were guilty of negligence.

995. That is another thing. I was not putting that to you. A limited company, say, put in a thoroughly competent registered pharmaceutical chemist, and this man, being competent and able to trade by himself, makes up a prescription wrongly and that results in a person dying. Do you say that in that case the directors could be prosecuted for manslaughter?—No, but they would be liable under the Pharmacy Act for penalties.

Lord *Stanley of Alderley*—continued.

996. Penalties for what offence? What would the offence be?—The offence of selling poisons.

997. But the case that I am putting is that a properly qualified pharmaceutical chemist employed in the shop has made up a prescription negligently and wrongly, so that the person who takes the medicine dies. Where is the offence in that case on the part of the company? I can understand the person who has been negligent being prosecuted for manslaughter, but what is the offence of the company?—I do not think there would be any offence of the company.

998. I thought you said that there would be?—No.

Mr. *Atherley-Jones.*

999. You thoroughly appreciate, of course, that the real point is that you make a proprietor responsible, be he a company or what not, for the act of the servant, even although there is no moral obliquity on the part of the proprietor. You may by statute do that. Supposing that a limited company employs a person beyond certain hours in a workshop, although it may be done by one of its managers or servants without the knowledge of any of the directors of the limited company, yet the company *per se* becomes liable, by the mere fact of its being done, to a penalty?—Yes.

Lord *Stanley of Alderley.*

1000. Will you, as a solicitor, tell me whether your evidence is that, where a company have used all proper care and have got a proper person in and that person is guilty of negligence, the directors of the company can be prosecuted and sent to prison?—No, certainly not.

Mr. *Idris.*

1001. The qualified chemist who employs an assistant in the same way would be responsible?—He could not be sent to prison for an act of negligence by his qualified assistant.

1002. If he took part in the checking of the poisons with his assistant, as in chemists' shops is usually the case, what would be the position?—With regard to a qualified pharmaceutical chemist, if he took part in checking the poisons in the prescriptions, as they usually do, and manslaughter occurred, the chemist would be responsible if he was guilty of negligence, but a company would not be. He becomes the actual seller of the poison then.

1003. He and his assistant become the sellers. Do the Army and Navy Stores use the title of "chemists and druggists" at all?—No. They call it a drug department, but by implication they do use the title in their advertisements which they put up. If there is any restriction on the title of chemist it might leave them open to prosecution for holding themselves out as chemists.

1004. Do they call themselves "dispensing chemists" in any case?—They do not use the word "chemist" but on all their labels they say "Dispensed by qualified chemists."

1005. Have

Mr. *Idris*—continued.

1005. Have you found any desire on the part of qualified chemists in any way to restrict the use of those titles, "Dispensers," "Drug Stores," or anything of that kind ?—I do not know what might happen if an Act were passed restricting the use of the title. I think that they most likely would be liable to prosecution by the Pharmaceutical Society.

1006. You mean restricting the title to examined men ?—Yes.

1007. To take the case of a solicitor, would a man, not himself qualified, be able, by employing an assistant who was a solicitor, to call himself a solicitor ?—No, certainly not.

1008. That is a parallel case to that of a chemist ?—One is a trade, the keeping of open shop, and the other is a profession.

1009. It would not injure, would it, the Army and Navy Drug Stores or any other stores of that kind, if they were prohibited from using the personal titles of the men whom they employ ?—I do not say that. I think that it would injure them if they were restricted with regard to using the title of "chemist."

1010. But so long as there is no attempt to restrict the title of "drug store" or "dispensary," or anything of that kind in regard to the Army and Navy Stores, there would be no prejudice to them ?—No; but by implication, as I say, they might be deemed to be holding themselves out as chemists.

1011. That is by implication; with regard to the law, that is not now contemplated, is it ?—I do not know. It may be contemplated by this Act.

Mr. *Atherley-Jones*.

1012. For the mere purpose of elucidating what the law is at present, I will ask you this. The law at present stands thus, does it not, with regard to a Company: that the wrong-doer, the person who is guilty of an offence, can be prosecuted criminally ?—Yes, certainly.

1013. And the law at present is that the persons who employ him, be they directors, or be they individuals, may also be prosecuted criminally if they are guilty of gross negligence ?—Certainly.

1014. But in the absence of gross negligence there would be no criminal remedy against them, but a civil action for damages would lie ?—Yes, quite so.

1015. For the act of their agent ?—For the act of their agent.

1016. Under Lord Ebury's amendment, which the noble chairman read to you, it was proposed to render a corporation responsible for a penalty by quasi criminal process ?—Certainly, that would be so.

1017. So that if there were negligence by one of

Mr. *Atherley-Jones*—continued.

their assistants, first the assistant could be prosecuted criminally ?—Yes.

1018. And secondly, under Lord Ebury's contemplated statute, the company could also be prosecuted criminally to the extent of a penalty ?—Yes, it would be so.

1019. Leaving, in the event of gross negligence on the part of any of the directors, the directors to be prosecuted criminally ?—Yes.

1020. You see the conundrum ?—Yes.

Mr. *Idris*.

1021. That is exactly the case now where the title is not assumed.

Mr. *Atherley-Jones*.

1022. You have had large experience, and I want to know whether you can see that any good purpose would or would not be served by depriving Joint Stock Companies of the right to use the title of "chemist," having regard to the interests of the public ?—I certainly think not.

1023. You are speaking from your large experience ?—Yes; from what I know of Joint Stock Companies which carry on the business of chemists, every precaution is taken I believe.

1024. So long as the person who dispenses and who sells the drugs is a qualified person, you think that the reasonable requirements of the public are met ?—Certainly, I think that the reasonable requirements of the public are met. The Army and Navy Stores have 25 qualified men in that one department.

1025. The same thing holds good, more or less, of Joint Stock Companies ?—Yes, of most Joint Stock Companies.

Lord *Saltoun*.

1026. Did you hear what Mr. Tipper said ?—Yes.

1027. Do you agree with his suggested amendment ? Do you see any harm in it ? The Pharmacy Act makes it an offence for any unqualified person to sell or to keep open shop for the sale of poisons. He said that that was not wide enough for veterinary surgeons and others who sell poisons or medicines for horses, cattle, sheep, and so on. What he suggested was that some such words as "patent medicines for animals or birds" should be put in ?—I am afraid I have not considered that point at all.

1028. Very well, if you have not considered it ?—No, I am afraid I have not. I have not gone into the question.

(*The Witness is directed to withdraw.*)

Mr. HENRY REGINALD WANSBROUGH is called in, and Examined as follows :—

Chairman.

1029. You are Chairman of Messrs. Henry Hodder and Co., who are chemists and druggists in Bristol, Bath, and Newport, Monmouthshire ?—Yes.

Chairman—continued.

1030. May I ask you what are the points upon which you wish to speak ?—With regard to a company using the name of "Chemist and Druggist." Our Company was incorporated in July, 1887,

Chairman—continued.

1887, and our Memorandum of Association states that the Company is formed for the purposes of carrying on business as chemists and druggists, and we have carried on that business ever since. We have spent large sums of money in advertising the fact that we are chemists and druggists. We have 13 branches, and we employ in each branch one or more qualified men, which we consider most desirable in the interests of and for the protection of the public. We protest most earnestly against our name being taken away. All that we ask is to be allowed to say that we are what we are. I have no hesitation in saying that if the name " Chemists and Druggists " were taken away from us, and we were deprived of the right of using it, we should lose a very large percentage of our business. We should be excluded in all directories from the list of chemists and druggists: from hotel lists and trade lists we should be excluded, and anybody wanting to go to a chemist and druggist, or to send to a chemist and druggist, would not find our name there. We have 342 shareholders, all of whom have invested their money in the belief that we are entitled to carry on the business of chemists and druggists. We spend large sums of money in putting on our shop fronts, on the facia, on our brass plates, on our advertisements, on our bill-heads, on our letter paper, and indeed on every document that we issue, the fact that we are chemists and druggists. We make it prominent, and it is well recognised that if a person wants to get a thing at a chemist's he says: " Go to the nearest chemist and get it." If we cannot use the name we are deprived of our birthright—that is exactly the position—because when we were born, or incorporated, we were incorporated as chemists and druggists; and may I say, my Lord, that the Pharmaceutical Society for years have been endeavouring to take away our name; they are doing that in the interest of the individual chemist, because it must be and it would be to the benefit of the individual chemist; and if it is to the benefit of the individual chemist, it must be to our detriment. If the individual chemist gets more business, we get less.

1031. Ever since the formation of your Company you have put on your premises and on your labels, too, your names as " Chemists and Druggists " ?—Yes, I have a number of documents here. I brought them up.

1032. We will take it for granted from you ?—It is on every document.

1033. You distinctly say that it would be a considerable injury to your business if that privilege were taken away ?—I can only say that if I were an ordinary shareholder I should sell my shares at once. As Chairman I should not consider that I was justified in doing so, but as an ordinary shareholder I certainly should.

1034. Do you think that the general public in Bristol, or wherever else you deal, would consider that you were less qualified people ?—Yes, undoubtedly, my Lord. If that name which we have always had and always traded under were taken away from us the public would infer that we were no longer the same people as we were before, and

Chairman—continued.

that we were not qualified to carry on the same business.

1035. It is, in short, a trade asset, you consider ?—Yes—of the utmost importance—of the greatest importance. May I tell you that the business was carried on for many years by Mr. Henry Hodder, who was the first cash chemist in the West of England, and the only one. He reduced the prices to the public from 2s. and 2s. 6d. for a bottle of medicine to 8d. and 10d. A company was formed, when he got old, to carry on the business.

1036. That was 20 years ago, was it not ?—Yes. He remained as managing director for some years, and when he died another of the directors, who was a qualified man, continued, and he is continuing now, as managing director. Another of our directors is one of the leading doctors in Clifton.

1037. You need not go into that. We understand now the situation ?—I am voicing the opinion of my co-directors and of all the shareholders to whom I have spoken.

Mr. *Idris.*

1038. Are not these reductions of prices that you have referred to now general ?—Yes; that has been produced by companies having started the business.

1039. And individuals ?—Individuals have had to follow.

1040. These reduced prices are a change in the method of trading, but they are general now with everybody ?—Yes; but I apprehend that if companies were no longer able to call themselves " chemists and druggists," the individual chemist might revert to the old prices.

1041. Are you not aware that individuals cut the prices very much before Mr. Hodder did it ?—Never. It is a historical fact in the chemist's business in Bristol that Mr. Hodder was the pioneer of the cash business. For many years he carried on business with great hostility on the part of others, because they objected to his selling at prices which were remunerative to him, and which were good for the public.

1042. I can claim the advantage of years as far as you and I are concerned, and I can prove that in days before you were behind the counter prices were cut ?—I have never been behind the counter; I am a solicitor.

1043. Before you carried on the business of chemist and druggist, chemists did frequently adopt cutting prices. Two or three stores took up that line ?—You may take my assurance that it was not so in Bristol.

1044. You said that companies not being able to call themselves chemists and druggists would lead the public to think that they are less qualified. In the case where the directors of the company and the assistants also are qualified, that company is more qualified than you would be, is it not; and is not that an advantage to the public ?—I do not see it. A person only buys from one individual; he does not buy from the lot. A person who has a number of shops cannot be at every shop, so he puts in a qualified

Mr. *Idris*—continued.

qualified man who sells poisons and dispenses medicines. That is exactly what we do.

1045. In one case the owner of the business is himself qualified, and his assistants are qualified. That is not your case. If the public knew the facts, would they not say that you were less qualified, and would they not consequently prefer to deal with the more qualified people ?—On the principle that two heads are better than one, do you mean ?

1046. Two qualified men are better than one qualified man and one man unqualified, of course. Who are the principal qualified chemists in your place ?—We have about thirty.

1047. But who is the managing chemist or foreman ?—Our managing director is a man of the name of Carpenter. He is a member of the Pharmaceutical Society.

1048. If you put on your facia "Hodder and Company," and underneath the name of this man "Carpenter" and "chemist," would not that be quite as good for the public ?—Yes, but then the Company would be using the word "chemist" on their premises.

1049. No, not if you put "Carpenter, Chemist." Hodder and Company would be the trade name, and the man who was held out as a chemist would be the qualified man ?—It would not be a true representation, would it ?

1050. I think that it would ?—If the Company, as a company, are allowed to carry on the business, why cannot they be allowed to say so. If, by a subterfuge, putting up the name of somebody else, and putting in large letters the name "Chemist," they are to attract the public, they are doing their business by stealth or misrepresentation.

1051. But is not the subterfuge the fact that they call themselves "chemists and druggists," when they have not passed the examination ?—Not at all. It was recognised by the Legislature so long ago as 1815, in the Apothecaries Act, that it was the trade or business of chemist or druggist. It is a trade just the same as a draper's business, or anything like that, is a trade.

1052. All the Acts since have restricted the title to the man who has passed his examination, have they not ?—Not for the purpose of companies carrying on business.

1053. Is not that so ?—I take it not. It has been the law ever since 1880, when it was first attempted to be attacked, that the companies can carry on the business of chemists and druggists.

Mr. *Idris*—continued.

1054. They may carry on the business ?—And they may say so, surely.

1055. But the law does not allow the personal title to be used by other than the qualified person ?—The law has never yet said that a person may carry on business, but that he shall not be allowed to say so.

1056. If what you say is correct, that it is only a trade description, it would be equally open logically to any unexamined, unqualified man to call himself chemist and druggist ?—No, it is conceded here, I understand, and always has been, that the business can be carried on by a company. That is past praying for, as I understand, now.

1057. No one disputes that ?—Then if a company may carry on the business, surely they may be allowed to say that they carry it on, but an individual who is not a qualified man may not carry it on.

1058. You say that a company that is not qualified can use the title, or ought to be able to use the title of "Chemist and Druggist," while the man who is not qualified ought not to be able to use it ?—That is the law. The law at the present moment is that an individual who is not a qualified man cannot start business and call himself "Chemist and Druggist." The law now is, and it has been so ever since we were registered, and ever since 1880, that a company can start and carry on business as chemists and druggists. We only ask to be allowed to say that we are doing that which we are doing.

1059. Are you not asking to be allowed to do something which as an individual you would not be allowed to do ?—We are not asking for anything that we are not entitled to and which we have not now. I understand that somebody is trying to take away our good name from us.

1060. If your contention prevails with regard to trade descriptions, you will admit that, in justice, an individual ought to be able to use the same title if it is only a trade description ?—I think that is rather a question for the Committee.

Chairman.

1061. I think that we all understand ?—Thank you, my Lord.

(*The Witness is directed to withdraw.*)

Mr. JOHN ARCHER UPTON is called in, and Examined as follows :—

Chairman.

1062. You are Clerk to the Society of Apothecaries, are you not ?—Yes, of London.

1063. The object of your evidence is, is it not, to ask that apothecaries' assistants shall be allowed to obtain certificates to sell poisons ?—Yes, that is practically so.

Chairman—continued.

1064. I think that you are here under a misapprehension. The licences will be granted by the Privy Council, and not by us. We have nothing to do with that in this Bill. This Bill is merely to enlarge the scope by admitting other persons to sell poisons ?—Seeing that the intention of

Chairman—continued.

of the Bill, if passed into law, is really to a considerable extent to allow persons who are totally unqualified to sell poisons to do so, I rather wanted to put in a plea at any rate on behalf of those who hold the Dispensary Certificate of my Society, that they shall be allowed to sell poisons, not simply for agricultural and horticultural purposes as contemplated by the Bill, but generally. I rather want to put in that plea on their behalf. We ask that the holders of Dispensary Certificates of the Apothecaries' Society should be put on the same footing under the Bill as those who have passed the Minor Examination, as I fancy it is called, of the Pharmaceutical Society.

1065. I do not think that your evidence has much bearing upon this Bill. We will not trouble you further. We quite understand your point of view?—I thank you, my Lord, for giving me the opportunity of putting that before you at any rate.

(*The Witness is directed to withdraw.*)

Mr. W. S. Glyn-Jones is called in, and Examined as follows:—

Chairman.

1066. You are secretary, are you not, of the Chemists' Defence Association?—I am not now secretary, my Lord. I am the founder, and I was the secretary for some time.

1067. May I ask you what the point is that you wish to bring before us?—Subsequently to my being secretary of the Association I went to the Bar, and I have since had some experience of acting both for the Pharmaceutical Society and the Chemists' Defence Association in cases arising under the Pharmacy Act. I ought to say that, although I was asked whether I would give evidence, I was not told that I should be called to-day; I did not expect to be called upon this afternoon, and I am giving evidence without notes. Of course, if I am bound to be here now, or not at all, I must do the best that I can. There are one or two rather important points connected with the Poisons Schedule and the administration of the Pharmacy Act which the members of the Chemists' Defence Association would like to put before the Committee, as the Bill proposes to add to the schedule.

1068. We do not propose to add to it?—The Bill itself contains a poisons schedule, and what we wish to point out is that as that poisons schedule is now drafted, as also the schedule to the Bill which Mr. Winfrey has introduced into the House, the schedule does not remove the difficulties in regard to the administration of the Pharmacy Act. What I want to point out is that the schedule, as it has been built up, consists of certain articles which were in the schedule to the Act of 1868 and subsequent additions. Speaking from memory, I think that Part 1 of the schedule to the Bill that the Committee is now considering follows the wording of the schedule to the 1868 Act to some extent. The first article would give me an illustration, "Arsenic and its preparations." There was for some time considerable doubt as to whether a compound containing arsenic was a poison within the Poisons Schedule, or whether the Poisons Schedule was confined to the actual substance named. There have been a number of cases upon the point. It was subsequently held that if any compound contained any one of the poisons named in the schedule in any amount which could not be said to be infinitesimal, then the compound was to be regarded for the purposes of the schedule as being a poison. The result of that has been that it is almost impossible to comply with the law. I presume that that view was not contemplated at the time the 1868 Act was passed. It is law which is the result of judicial decisions. About two or three years ago, there was the case of Brown *v.* Leggat, which showed the difficulty that arose. In Part 1 of the schedule is found "Poisonous Vegetable Alkaloids." I am sorry that I have been called upon to give evidence now. If I had known that I should be called upon to give evidence to-day I should have had this prepared for the Committee. The Committee will know that the reason of dividing the schedule into two parts is that none of the articles included in Part 1 or Part 2 should be sold by anybody who is not a chemist, but the articles in Part 1 are articles which are specially dangerous, and are, therefore, articles to which special restrictions apply. Amongst other things, the chemist must know the person to whom he sells them, and he must register them and go through a good deal of formality. But with regard to articles in Part 2 of the schedule, although they are sufficiently dangerous to be regarded as poisons, they are not sufficiently dangerous to have all these restrictions apply to them. All that has to happen with regard to those is that they have to be labelled "Poison," and the name and address of the seller has to be put upon them. Some chemists in the North of England sold a preparation for the hair which contained a small quantity of a substance called "Veratrine," "Veratrine" being a poisonous vegetable alkaloid. I have listened to-day to the evidence, and the Committee have been told that the Pharmaceutical Society have proceeded under Section 15 of the Act of 1868. The Pharmaceutical Society are the only body that can proceed under Section 15, which describes the persons who may sell poisons. Section 17 deals with the method of selling, and under that section of the Act the police (and that is the difference) or any common informer may take proceedings. In the case to which I refer, a common informer took proceedings against a number of chemists because they had sold a proprietary ointment, a sort of pomade

for

Chairman—continued.

for the hair, which contained "Veratrine," without registering its sale. It was there argued that because this contained a small quantity of "Veratrine," it was a poisonous vegetable alkaloid, and that the sale would have to be treated in exactly the same way as the dangerous alkaloid strychnine itself. The magistrate who heard the case decided in favour of the Plaintiff, and convicted the chemist. He held that he was bound by certain decisions under the 15th Section. He held that, although this poison was comparatively innocent compared even with some of the things in Part 2 of the schedule, yet simply because it contained a small proportion of an article in Part 1 it had to be treated as in Part 1 of the schedule. The High Court reversed that decision, but to this day there are a number of articles which chemists sell which perhaps technically come within Part 1 of the schedule because of those legal decisions, but which from the point of view of the practical chemist are not nearly as dangerous as some of the things in Part 2. What the members of the Association want to ask the Committee is that in dealing with this Bill there should be a re-ordering of the Schedule. If I may say so with great respect, I should be quite prepared and quite happy to submit to the Committee suggestions with regard to such a re-ordering of the schedule —not to add anything to it or to take anything away from it. There is no trade interest in this matter. It is merely that those who are not chemists should know what is in the Poisons Schedule, and that chemists themselves should know, and that the Pharmaceutical Society should know definitely what is in the schedule. I will tell you the kind of improvement that one suggests. Let me take a good case—cocaine. I see, my Lords, that I have taken an unfortunate article, because I notice that cocaine is really in both schedules. Cocaine itself is in Part 1. The preparations are in Part 2. What one wants is that the actual poison itself should be named. I have not the schedule before me.

Mr. *Atherley-Jones.*

1069. Do you mean Schedule A ?—Yes.

1070. Is cocaine in Part 1 ?—Yes, of the Schedule to the Bill which I have before me. I thought that it would be wise to deal with the Schedule that you are dealing with. I suggest that the actual article, such as arsenic itself, and "All poisonous vegetable alkaloids," "Aconite," or "Aconitine," should be named. I want to call attention to this point: although the second item is "All poisonous vegetable alkaloids," aconitine is mentioned. Aconitine is a poisonous vegetable alkaloid. Several things are similarly described twice over in different ways. That is a thing which leads to no end of confusion, especially when lawyers are dealing with it. My suggestion, put quite shortly, on this point is that the article itself should be named if it is to be in Part 1, and that at the bottom there should be one covering phrase, "And all compounds or substances containing any of the foregoing unless specifically named in Part 2 of the Schedule"; and that,

Mr. *Atherley-Jones*—continued.

then, in Part 2 of the Schedule you should name those compounds containing the dangerous poisons in Part 1 which, because of their dilution, were not sufficiently dangerous to be within the restrictions of Part 1.

Lord *Saltoun.*

1071. You practically want us to revise the Schedule, and you suggest to us that we should lay it before the authorities ?—Yes, that is so.

1072. May I suggest that you should hand to us what you propose, or send it to us at our next meeting; that would save an infinity of trouble. If we considered it right we should do it, and if we did not consider it right we should not ?—Quite so; I did not know that I should be called to-day, or I should have prepared it.

1073. Is that your whole point ?—There is one other point which I think has not been put before the Committee, and that is that Section 15 of the Pharmacy Act, 1868, makes it an offence to keep open shop for the sale of poisons. It makes it an offence to take the title of chemist unless the person is qualified, and it makes it an offence not to comply with certain regulations as to putting poisonous liniments into special shaped bottles. With regard to title, the only decision which has been given is the decision which the Committee have heard so much about, where there was a claim against a company for a penalty for keeping open shop. The House of Lords decided that the word "person" did not include a company, and that therefore companies were outside that section. In so doing the House of Lords decided other questions, although they were not really before them. Because they decided that the word "person" did not include a company, the Society could not proceed against a company for the use of the title, and no one could proceed against a company under Section 15 for breach of the poison regulations. Companies may sell dangerous liniments in an ordinary medicine bottle or mineral water bottle, without being liable to the penalty imposed by Section 15. That is, perhaps, more important from the point of view of the Committee. I was myself engaged for the Society in the case of Games Evans. Mention has been made of it. It was against a one-man company in Cardiff, who sold a liniment containing poison in a medicine vial. The Society proceeded against him for breach of the poison regulations. The County Court judge took time to consider his decision, and, if I may say so with great respect, he came to a right decision, because the section does not apply to a company, and, the poisonous liniment being sold in the shop of this company, there was no way of penalising the company. There is that point which, as far as I know, has not been pointed out to the Committee. Then there is a serious point which, with great respect, the Committee ought to have before them, and that is with regard to Section 26 of the Act of 1868. The Privy Council have the right to strike any chemist off the register for breaches of the Pharmacy Act. "The Privy Council may direct the

Lord *Saltoun*—continued.

the name of any person who is convicted of any offence against this Act which, in their opinion, renders him unfit to be on the register under this Act to be erased from such register, and it shall be the duty of the Registrar to erase the same accordingly." Now, any chemist in business who seriously infringes the Pharmacy Act may be struck off the register by the Privy Council. As the result of this decision, the penalty that the individual would suffer would be that he could not call himself a chemist, he could not keep open shop for the sale of poisons, and he could not himself sell a poison; but as the law stands now, having regard to the decision of the House of Lords, the power which the Privy Council has is worthless, because a man may simply convert himself into a limited company and keep open shop for the sale of poisons. As a rule, the man is too clever to sell the poisons with his own hands, but he employs somebody else to do the mere act of selling, he, the unregistered master, retaining the power to generally order the affairs of the business of selling poisons. I would only suggest that if the Committee came to the conclusion that they ought, in the public interest, not to restrict the title of chemist to individuals, they might consider some proposition whereby in the case of a company committing offences, or rather of its servants committing offences, there should be some individual in a responsible position with whom the Privy Council can deal. It is quite an anomaly, I suggest, for a man to be penalised by being struck off the register and immediately then defy the law and everybody by putting himself outside the Act. It does not matter to the individual who is a one-man company that he is not on the register. One other point, my Lord. I have heard it suggested this morning that the Pharmaceutical Society can prosecute certain individuals. I do not know whether at other meetings of the Committee it has been put before the Committee that that power really means that the actual seller may be proceeded against as for a civil debt for a £5 penalty, and that the remedy is through the County Court? It was my experience, as a member of the Pharmaceutical Society's Council some years ago, that, although the Society had that power, and although they might get judgment against an assistant for a £5 penalty, if the assistant had no money there there was no way of enforcing that penalty. Of course, a disreputable master or a person may form himself into a company for the purpose of evading the Act, as Evans did. My experience was that a man may employ unqualified people—boys and youngsters—to sell poisons, and there is no means of "prosecuting" anybody. All that the Society could do was to apply for a penalty of £5. If the boy had money he would pay, but if he had not money he would not, and the master could [redacted] compelled to pay the penalty which is really a debt owing by the boy.

Lord *Saltoun*—continued.

I understand, my Lords, that you would like the Association to submit such revision of the Poisons Schedule as they would like you to consider?

1074. Yes, that is the simplest thing as I suggested?—If you please.

Mr. *Idris.*

1075. Is there any precedent in English law for depriving a man of the title that he has won personally, by personal examination under statutory regulation, thus depriving him of all the benefits of having spent his money in training and tuition? Is there any precedent whatever for such a thing in the case of any title granted in such a way?—I know of none. I have heard gentlemen representing the Pharmaceutical Society to-day refer to the matter entirely from the point of view of public safety. I do not know why they are shy about putting the other side of it. There is this position—that if you take from the qualified man all the privileges which he has obtained by qualification, or nearly all the important privileges which he has obtained by qualification, then we are not going to get qualified men. Why should a man qualify to obtain privileges which are to be taken away from him, or which people may obtain without the trouble of qualifying.

Lord *Saltoun.*

1076. May I suggest that you should answer the question very shortly? This takes up a lot of time?—If you please, my answer to Mr. Idris was no, but I was amplifying it in that way.

Chairman.

1077. I do not agree with the way in which Mr. Idris put it. It can be put in a totally different way. This is a question of other people enjoying the privileges. You are not taking anything away from a chemist and druggist, but you are enlarging the field of persons who sell poisons?—It is true that it is not taking anything away, if one regards the decision of the House of Lords on what was, after all is said and done, quite a side issue as a settlement of the law of the country. It is true that after that decision, from the way in which it has been put, the real intention of the Act has been evaded. But I understand that no one suggests that a company, apart from that decision, has any right or claim at all to the title of chemist.

1078. But they have enjoyed it for 20 years?—There has been no way of preventing their using it, if I may put it in that way; but I do not think it can ever have been intended that the Act meant to allow a person to turn himself into a company in order to take those privileges.

(*The Witness is directed to withdraw.*)

Die Martis, 19° *Maii* 1908.

MEMBERS PRESENT:

Lord Saltoun.
Lord Stanley of Alderley.
Lord Lawrence.
Lord Monk-Bretton.
Lord Haversham.

Mr. Godfrey Baring.
Mr. Idris.
Mr. Vincent Kennedy.
Sir John Batty Tuke.

THE LORD HAVERSHAM IN THE CHAIR.

Mr. W. S. GLYN-JONES is again called in, and further Examined as follows:—

Chairman.

1079. I am afraid that as there is only one copy of your statement, I am the only member of the Committee who has read it. I have explained it to the Committee. The Committee feel that this question of the schedule was examined into by Sir Herbert Maxwell's Committee. Their object was to examine witnesses with regard to the schedule. After examining them thoroughly, the schedule was submitted to the Privy Council, and the Privy Council prepared the schedule for this Bill. They may have been right or wrong, but we feel that we have not the expert evidence which is necessary for us to examine into the points which you discuss. As I understand you, the main point you have in mind is that there are certain poisons which are mentioned in the schedule, and there are certain compounds of those poisons, and there is a conflict of legal decisions as to whether or no those compounds are included under the schedule—is not that so?—Yes, that is so in the main, my Lord.

1080. We recognise the importance of that, and we are prepared as a Committee to include in our Report this paper of yours, which we will send to the Government—or rather it will go in the first instance to the Privy Council, and it will, by them, be submitted to both Board of Agriculture experts and their own experts, and they will then have the power of altering the schedule, which perhaps we need not remind you they can easily do in the Report stage in the House of Lords. I think, therefore, that we feel that we cannot go into the question of poisons, and the Committee do not desire to examine you?—

Chairman—continued.

That was what I felt, but we felt that we were bound to call the Committee's attention to the difficulty of the schedule—one realised that it was such a technical matter that it would have to be submitted sooner or later, and I think that I suggest that in the statement, to a chemical expert and to a pharmaceutical expert, and to the Privy Council's legal advisers, because, since the schedule was drawn up, the last case that I referred to, that of *Brown* v. *Leggett*, has been before the High Court, and the confusion if anything has been made worse. The case of *Brown* v. *Leggett* arose because of the confusion about deciding what was in Part I., and what was in Part II.

1081. I see that in your paper you say that you are not personally qualified to state whether the suggestions are such as should be finally adopted?—No. What I mean by that, is that all I have attempted to do is to try to make clear what is now in the schedule. I am not prepared to advise what other things should be put in, or whether the strengths which are in that schedule are such strengths as an expert chemist would advise to be adopted.

1082. We are much obliged to you. I think you will see that your statement will be acted upon, and we trust that you will be satisfied?—I thank you.

(*The Witness is directed to withdraw.*)

The Committee Room is cleared.

APPENDIX.

LIST OF APPENDIX.

APPENDIX No. I. PAGE

Statement showing the number of towns in Ireland having at least one pharmaceutical chemist, or chemist and druggist, or registered druggist. (May, 1907.) - - - - - 59

APPENDIX No. II.

List of societies supporting inclusion of Ireland in the Bill' - - - - - - - - 65

APPENDIX No. I.

Paper handed in by Mr. *T. W. Russell*, M.P.

STATEMENT SHOWING THE NUMBER OF TOWNS IN IRELAND HAVING AT LEAST ONE PHARMACEUTICAL CHEMIST, OR CHEMIST AND DRUGGIST, OR REGISTERED DRUGGIST. (MAY, 1907.)

NOTE (1). In the Calendar of the Pharmaceutical Society of Ireland, when a practitioner has two or more qualifications (*e.g.*, where he is, say, both a pharmaceutical chemist and a registered druggist) his name appears in all lists; but in this statement he is returned only for the highest class in which he is qualified.

(2) The number of practitioners in a town does not invariably coincide with the number of medical halls. In a few instances two or more practitioners, generally members of the same family, have one place of business.

(3) In the county list the County Borough of Belfast is returned as wholly in Antrim.

DISTRIBUTION OF PHARMACEUTICAL CHEMISTS, CHEMISTS AND DRUGGISTS, AND REGISTERED DRUGGISTS.

(See Notes on General Statement.)

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
In County Boroughs	290	30	275
In Rest of Ireland	366	180	231
Total	656	210	506

TABLE 1.—COUNTY BOROUGHS.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.		Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Dublin	134	10	56	Londonderry ..	18	1	16
Belfast	93	12	178	Limerick ..	8	1	6
Cork	27	3	13	Waterford ..	10	3	6

Towns having service	312
No. of towns in which there are Pharmaceutical Chemists	188
Towns having only a Chemist and Druggist	60
Do. a Registered Druggist	39
Do. a Chemist and Druggist and Registered Druggist ..	25

ANTRIM.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ahoghill ..	–	1	–
Antrim	–	–	1
Armoy	–	1	–
Ballycastle ..	1	–	1
Ballyclare ..	1	1	–
Ballymena ..	3	1	5
Ballymoney ..	3	1	1
Carrickfergus ..	1	1	2
Doagh	–	–	1
Glenarm ..	–	1	1
Glenavy ..	–	1	–
Islandmagee ..	–	–	1
Kells	–	1	–
Larne	2	1	3
Lisburn ..	3	–	6
Portglenone ..	–	–	1
Portrush ..	2	–	1
Randalstown ..	1	–	–
Toomebridge ..	–	–	1
Whitehead ..	–	–	2
Co. Borough .	93	12	178
Total for County	110	22	205

ARMAGH.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Armagh.. ..	4	1	8
Bessbrook ..	1	–	–
Charlemont ..	–	1	–
Crossmaglen ..	–	1	1
Keady	–	–	2
Killyleagh ..	1	–	1
Lislea	1	–	–
Lurgan	3	1	1
Markethill ..	1	–	–
Newtownhamilton	–	–	1
Portadown ..	1	1	9
Tanderagee ..	1	–	–
Total for County	13	5	23

CARLOW.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Bagnalstown ..	–	–	1
Ballon	–	1	–
Borris	–	–	1
Carlow	7	–	–
Clenegall ..	–	1	1
Rathvilly ..	–	1	–
Tullow	1	–	1
Total for County	8	3	4

CAVAN.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Arva	–	1	–
Ballyconnell ..	–	2	–
Ballinagh ..	–	1	2
Bailieborough ..	3	–	1
Ballyjamesduff	–	1	1
Belturbet ..	1	1	–
Canningstown ..	1	–	–
Cavan	5	–	1
Cootehill ..	2	–	1
Dowra	–	1	–
Kilnalock ..	–	–	1
Killeshandra ..	–	1	2
Kingscourt ..	–	–	1
Shercock ..	1	–	–
Swanlinbar ..	–	1	–
Total for County	13	9	10

CLARE.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ennis	6	1	–
Ennistymon ..	1	1	1
Kilkee	1	–	1
Kilrush ..	1	–	–
Total for County	9	2	2

CORK.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Bandon ..	3	1	–
Charleville ..	1	–	2
Clonakilty ..	2	–	–
Doneraile ..	2	–	–
Dromagh ..	1	–	–
Dunmanway ..	1	1	–
Fermoy ..	3	–	–
Glanworth ..	1	–	–
Kanturk ..	2	–	–
Kinsale ..	1	–	–
Mallow	3	–	1
Midleton ..	–	–	1
Millstreet ..	1	–	–
Mitchelstown ..	2	1	–
Newmarket ..	1	–	–
Passage West ..	1	–	–
Queenstown ..	3	–	–
Skibbereen ..	2	–	–
Youghal ..	4	–	1
Co. Borough .	27	3	13
Total for County	61	6	18

DONEGAL.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballintra ..	1	–	–
Ballybofey ..	–	1	–
Ballyshannon ..	2	–	–
Bundoran ..	1	–	–
Buncrana ..	3	–	–
Castlefin ..	–	–	1
Clar Donegal ..	1	–	–
Donegal ..	1	–	–
Letterkenny ..	–	1	1
Pettigo	1	–	–
Raphoe ..	–	1	–
Stranorlar ..	–	–	1
Total for County	10	3	3

DOWN.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballynahinch ..	1	–	2
Ballyhackmore ..	1	1	–
Banbridge ..	1	2	2
Bangor	3	2	4
Belmont ..	–	–	1
Castlewellan ..	–	–	2
Comber ..	1	1	1
Donaghadee ..	–	2	2
Dromore ..	2	–	3
Dundrum ..	1	–	–
Downpatrick ..	2	–	–
Hollywood ..	4	–	–
Kilkeel	1	–	–
Killyleagh ..	–	–	1
Newry	9	–	3
Newcastle ..	1	–	–
Newtownards ..	3	2	6
Portaferry ..	1	1	2
Rathfriland ..	–	–	3
Saintfield ..	–	–	1
Warrenpoint ..	2	–	–
Total for County	33	11	33

DUBLIN.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Balbriggan ..	1	–	–
Ballybrack ..	1	–	–
Blackrock ..	3	–	–
Dalkey	2	–	1
Dundrum ..	1	–	–
Howth	1	–	–
Killiney	–	–	1
Kingstown ..	6	–	2
Kimmage ..	1	–	–
Monkstown ..	1	–	–

DUBLIN—*continued.*

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Rathcoole ..	–	1	–
Rathgar ..	3	1	3
Rathmines ..	14	1	2
Skerries ..	–	1	1
Terenure ..	1	–	–
Co. Boro' ..	134	10	56
Total for County	169	14	66

FERMANAGH.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ederney ..	–	–	1
Enniskillen ..	4	1	–
Garrison ..	1	–	–
Lisnaskea ..	2	–	1
Newtownbutler	–	1	–
Total for County	7	2	2

GALWAY.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Aughrim ..	–	1	–
Ballinasloe ..	3	–	4
Ballygar ..	–	1	–
Dunmore ..	–	1	–
Galway ..	2	–	–
Headford ..	–	1	2
Loughrea ..	1	–	–
Portumna ..	–	–	1
Tuam	1	–	–
Total for County	7	4	7

KERRY.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Cahirciveen ..	1	–	1
Castleisland ..	1	–	–
Dingle	1	–	–
Duagh	1	–	–
Killarney ..	3	–	–
Listowel ..	8	–	–
Newtownsandes	1	–	–
Tralee	4	–	–
Total for County	20	0	1

KILDARE.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Athy	4	–	2
Ballymore Eustace	1	–	–
Castledermot ..	–	–	1
Kelbridge ..	1	–	–
Kilcullen ..	–	1	–
Kildare ..	1	–	–
Maynooth ..	1	1	–
Monasterevan ..	–	1	–
Moyvalley ..	1	–	–
Naas	3	–	2
Newbridge ..	2	–	–
Rathangan ..	–	–	1
Total for County	14	3	6

KILKENNY.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Callan	1	1	1
Castlecomer ..	–	1	1
Graigue ..	1	1	1
Kilkenny ..	5	3	–
Urlingford ..	–	1	–
Total for County	7	7	3

KING'S CO.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Birr	2	1	1
Clara	1	1	–
Geashill ..	1	–	–
Frankford ..	–	–	1
Tullamore ..	1	–	1
Total for County	5	2	3

LEITRIM.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballinamore ..	–	–	2
Carrick-on-Shannon	1	–	–
Carrigallen ..	–	1	–
Drumshambo ..	–	1	1
Manorhamilton .	1	1	–
Mohill	–	1	–
Total for County	2	4	3

LIMERICK.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Abbeyfeale ..	1	–	–
Bruff	1	–	–
Croom	1	–	–
Glin	–	1	–
Kilmallock ..	3	–	–
Newcastle West	2	–	–
Rathkeale ..	1	–	–
Co. Boro' ..	8	1	6
Total for County	17	2	6

LONDONDERRY.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballaghey ..	–	1	2
Castlerock ..	–	1	–
Castledawson ..	–	1	–
Coleraine ..	4	–	1
Kilrea	1	1	–
Limavady ..	1	–	1
Maghera ..	1	–	1
Magherafelt ..	2	–	1
Portstewart ..	–	–	1
Co. Boro' ..	18	1	16
Total for County	27	5	23

LONGFORD.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballymahon ..	1	–	1
Edgeworthstown	–	1	
Granard ..	1	–	1
Longford ..	1	–	–
Total for County	3	1	2

LOUTH.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ardee	–	2	–
Drogheda ..	8	–	3
Dundalk ..	5	–	3
Dunleer ..	–	1	–
Louth	–	1	–
Total for County	13	4	6

MAYO.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Balla	–	1	–
Ballaghadereen .	–	1	–
Ballina	1	–	–
Ballinrobe ..	–	2	–
Ballyhaunis ..	–	2	–
Castlebar ..	1	2	–
Claremorris ..	–	1	–
Newport ..	–	1	–
Westport ..	1	2	–
Total for County	3	12	–

MEATH.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Athboy ..	–	–	2
Kells	1	3	–
Navan	3	1	–
Oldcastle ..	–	1	1
Trim	–	2	–
Total for County	4	7	3

MONAGHAN.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballybay ..	1	2	3
Carrickmacross .	1	1	–
Castleblayney ..	–	1	7
Clones	3	–	3
The Diamond ..	–	1	–
Emyvale ..	–	–	1
Glasslough ..	–	1	–
Monaghan ..	7	–	2
Newbliss ..	–	1	–
Rockcorry ..	1	–	–
Swans Cross ..	–	1	–
Total for County	13	8	16

QUEEN'S CO.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Abbeyleix ..	–	–	1
Ballinakill ..	–	1	–
Maryborough ..	3	1	–
Mountmellick ..	–	3	–
Mountrath ..	1	–	–
Portarlington ..	1	1	–
Rathdowney ..	–	–	1
Total for County	5	6	2

ROSCOMMON.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballinlough ..	–	1	–
Boyle	1	–	1
Castlerea ..	2	2	–
Elphin	–	2	1
Frenchpark ..	–	1	–
Knockcroghery	–	–	1
Roscommon ..	1	2	–
Strokestown ..	–	2	–
Total for County	4	10	3

SLIGO.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballymote ..	–	–	1
Sligo	3	–	–
Tobercurry ..	–	1	–
Total for County	3	1	1

TIPPERARY.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Borrisokane ..	–	2	2
Cahir	1	–	–
Carrick-on-Suir	1	2	1
Clogheen ..	–	1	–
Cloughjordan ..	–	1	1
Clonmel.. ..	4	1	5
Killenaula ..	1	1	–
Nenagh ..	1	2	–
Roscrea ..	2	–	2
Templemore ..	1	1	1
Thurles	1	1	1
Tipperary ..	5	–	–
Toomevara ..	1	–	–
Total for County	18	12	13

TYRONE.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Augher	1	–	–
Aughnacloy ..	2	–	–
Castlederg ..	1	1	1
Clogher ..	–	1	–
Coalisland ..	–	1	–
Cookstown ..	2	–	3
Drumlegoagh ..	1	–	–
Dungannon ..	3	3	1
Fintona ..	1	–	1

TYRONE—*continued.*

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Gortin	–	1	1
Moy	–	1	–
Omagh	5	1	1
Pomeroy ..	–	–	1
Sixmilecross ..	1	1	1
Stewartstown ..	–	1	1
Strabane ..	1	2	–
Total for County	18	13	11

WATERFORD.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Cappoquin ..	2	–	1
Dungarvan ..	2	–	1
Tramore ..	2	–	–
Co. Boro' ..	10	3	6
Total for County	16	3	8

WESTMEATH.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Athlone ..	4	1	2
Ballymore ..	–	1	–
Castlepollard ..	–	1	1
Castletown ..	–	1	–
Kilbeggan ..	–	2	–
Killucan ..	–	2	–
Moate	–	1	–
Moyvore ..	–	1	–
Mullingar ..	3	2	–
Raharney ..	–	1	–
Total for County	7	13	4

WEXFORD.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Ballycanew ..	–	1	1
Ballynulty ..	1	–	–
Carrig Bannow	–	1	–
Enniscorthy ..	2	–	1
Ferns	–	–	1
Gorey	–	–	1
New Ross ..	2	–	–
Newtownbarry ..	–	2	3
Taghmon ..	–	2	–
Wexford ..	3	2	1
Total for County	8	8	8

WICKLOW.

	Pharmaceutical Chemists.	Chemists and Druggists.	Registered Druggists.
Arklow	2	1	1
Aughrim ..	–	1	1
Baltinglass ..	–	2	–
Bray	3	–	1
Carnew	–	–	2
Donard ..	–	1	–
Dunlavin ..	–	–	1
Greystones ..	1	–	1
Rathdrum ..	1	2	–
Tinahely ..	–	1	1
Wicklow ..	2	–	1
Total for County	9	8	9

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APPENDIX No. II.

Re POISONS AND PHARMACY BILL.

LIST OF SOCIETIES supporting inclusion of Ireland in the Bill.

Paper handed in by Mr *R. M. Smith.*

See Question 275.

1. Irish Agricultural Wholesale Society, Limited.
2. The Irish Agricultural Organisation Society.
3. The New Ross Co-operative Agricultural Society, Limited.
4. Camelin and Ballyduff Branch, North Wexford Farmers' Association.
5. The Inver Co-operative Agricultural and Dairy Society, Limited.
6. The Ennisworthy Co-operative Agricultural Society, Limited.
7. The Achonry Co-operative Agricultural and Dairy Society.
8. The Gaultier Co-operative Dairy Society.
9. The Drumchambo Co-operative Dairy Society, Limited.
10. The Armagh and District Co-operative Society, Limited.
11. The Glenlough Co-operative Agricultural Society.
12. The Shanaglish Co-operative Society.
13. The Donaghpatrick Co-operative Agricultural Society.
14. Fairymount Co-operative Dairy Society, Limited.
15. Glenlick Co-operative Agricultural Society, Limited.
16. Caltra Co-operative Agricultural and Dairy Society, Limited.